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CARL D. PERKINS VOCATIONAL EDUCATION ACT AMENDMENTS OF 1989

NOVEMBER 21 (legislative day, NOVEMBER 6), 1989.—Ordered to be printed

Mr. KENNEDY, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 1109]

The Committee on Labor and Human Resources, to which was referred the bill (S. 1109) to amend the Carl D. Perkins Vocational Education Act to extend the authorities contained in such act through the fiscal year 1995, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

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I. INTRODUCTION

The Carl D. Perkins Vocational Education Reauthorization Act of 1989 dramatically changes the delivery of vocational education assistance to ensure that vocational education and training in America is of the highest quality possible. For the first time in federal vocational education history this landmark legislation sends all secondary education money directly to local school districts or to area vocational schools serving such districts. In driving this

money directly to the local level, S. 1109 requires that funds be targeted to those who need federal help the most, and that allocations are distributed in sufficient amounts to provide programs that are of considerable size, scope and quality. In addition, the legislation stresses a linkage between secondary and postsecondary education, emphasizes the integration of academic and vocational education, and supports increased efforts in professional development and training. In so doing, it clearly indicates that the true purpose of federal assistance in vocational education is that of providing quality programs to needy populations.

This federal role in vocational education is sharply defined by the economic needs of the future. By the end of the next decade, close to 85 percent of new entrants into the workforce will be women and minority populations. To a great extent, the strength of corporation after corporation in America will rest solidly on the education and training of these new entrants. Vocational education has the unique opportunity at this critical juncture in our economic history to become the real instrument for expanded productivity and ingenuity.

The Carl D. Perkins Vocational Education Reauthorization Act of 1989 capitalizes on the potential impact of vocational education on our economy by clearly delineating the federal role and the federal purpose. S. 1109 supports the twin objectives of providing state-of-the-art programs and of insuring that needy populations are provided these quality services. The programs supported through Carl Perkins funds do not simply prepare a person for a job; they prepare a person for a lifetime. The Committee believes that the changes contained in S. 1109 will create an environment of improvement and expansion that will serve our students, our workforce, and our nation well.

This legislation was fashioned in a climate of consensus and enjoys strong bipartisan support. In fact, S. 1109 was reported out of both the Subcommittee and the Full Committee unanimously. It is the product of extensive hearings and reflects the Committee's serious consideration of recommendations proposed by education-related groups, community organizations, private business, and the Administration.

II. Legislative Consideration and Votes in Committee

S. 1109 was introduced by Senators Pell, Kassebaum and Kennedy on June 1, 1989. It was referred to the Subcommittee on Education, Arts and Humanities which held a series of seven hearings. Hearings were held in Washington, D.C. on June 22, July 21, and July 27, 1989. The Subcommittee also held regional hearings on April 28 in Gulfport, Mississippi; on June 29 in Wichita, Kansas; on July 7 in Providence, Rhode Island; and on July 10 in Randolph, Vermont.

On October 26 the Subcommittee met to consider S. 1109 and reported it unanimously with an amendment in the nature of a substitute.

On November 1 the Committee met to consider S. 1109 and reported it with an amendment in the nature of a substitute by a

vote of 16 yeas to 0 nays. The vote to report S. 1109 to the Senate was recorded as follows:

YEAS	NAYS
Kennedy	
Pell	
Metzenbaum	
Matsunaga	
Dodd	
Simon	
Harkin	
Adams	
Mikulski	
Hatch	
Kassebaum	
Jeffords	
Coats	
Thurmond	
Durenberger	
Cochran	

Three amendments were offered during the Committee's consideration of S. 1109, which were not accepted.

1. The first amendment was offered by Senator Durenberger to eliminate the apportionment between secondary, and postsecondary and adult programs, and was defeated by a vote of 13 nays to 3 ayes. The vote on the amendment was as follows:

NAYS	AYES
Kennedy	Hatch
Pell	Thurmond
Metzenbaum	Durenberger
Matsunaga	
Dodd	
Simon	
Harkin	
Adams	
Mikulski	
Kassebaum	
Jeffords	
Coats	
Cochran	

2. The second amendment was offered by Senator Durenberger to require that states apportion at least 25 percent of vocational education funds for secondary school programs, and at least 25 percent for postsecondary and adult programs. This amendment was defeated by a show of hands.

3. The third amendment was offered by Senator Durenberger to require that states apportion at least 50 percent for secondary school programs to maintain the 30 percent reserve for postsecondary and adult programs, and to enable the remaining 20 percent to be spent on either. This amendment was defeated by a vote of 10 nays to 6 ayes. The vote on the amendment was as follows:

NAYS	AYES
Kennedy	Harkin
Pell	Hatch
Metzenbaum	Jeffords
Matsunaga	Coats
Dodd	Thurmond
Simon	Durenberger
Adams	
Mikulski	
Kassebaum	
Cochran	

FORMAT OF THE LEGISLATION

As introduced, S. 1109 provided for a simple extension through fiscal year 1995 of the authorization of the Carl D. Perkins Vocational Education Act. Amendments made at the October 26 and November 1 mark-up sessions entirely changed the bill and gave it a new framework and expanded scope and content. In the months preceding the mark-up of S. 1109, several Senate members put forward individual reauthorization bills which were used as the source of amendments to S. 1109. Various components were folded into the reauthorization bill by a unanimous consent request during the mark-ups. These included:

S. 439, the Tech-Prep Education Act, introduced by Senators Pell and Cochran;

S. 496, providing vocational education assistance to Indians and Native Hawaiians, introduced by Senators Bingaman, Domenici, Inouye, Burdick and Conrad;

S. 799, the Vocational-Technical Education Quality and Equity Act of 1989, introduced by Senator Domenici;

S. 658, the Carl D. Perkins Vocational-Technical Education Act Amendments of 1989, introduced by Senators Pell, Kassebaum, Kennedy and Hatch by request of the American Vocational Association;

S. 1133, the Vocational Education Excellence Act of 1989, introduced by Senators Kassebaum and Pell by request of the Administration; and

S. 1190, the Office of Correctional Education Act of 1989, introduced by Senator Pell.

III. Need for the Legislation and Overview

A. BACKGROUND AND NEED

Vocational education assistance has been a federal responsibility since 1917 with the passage of the Smith-Hughes Act. Since that time, vocational education has played a critical role in strengthening this nation's economic base. It was a fundamental player in our economic transition from what was essentially a farm economy at the beginning of the twentieth century to an industrial base by mid-century.

Today's shift to a high technology and service-oriented economy poses new challenges for vocational education—both in terms of program quality and the very structure of vocational education.

The accelerated rates of change in industries and in the skills required by those industries demand that vocational education prepare students not only for a job but for a lifetime of work. The workforce of the next decade will have to be highly flexible to be competitive. In fact, it is estimated that most workers will change jobs more than five times during their working years. Vocational education's mission, therefore, must be that of ensuring that students graduate with both the vocational and the academic skills upon which they can rely time and time again as they learn new skills, new trades, or wholly different vocations in adapting to these changes.

Vocational Education is ideally suited to play a central role in our efforts to remain competitive in the international marketplace. As our national attention focuses more heavily on efforts to increase productivity, the quality and delivery of vocational education will determine how quickly we can expand our markets.

The report of the American Society for Training and Development, "Training America, Learning to Work for the 21st Century" indicated how heavily America will rely upon the abilities of our workforce:

> Job-related training and education is critically important to the competitiveness of American employers. Over the past 50 years such learning has been consistently more important than machine capital in expanding U.S. productive capacity.
>
> A profound economic lesson of this decade is that people, rather than machines or capital, are the critical factors in productivity and growth. Learning in school expanded the nation's productive capacity by 26 percent, and learning on the job contributed about 55 percent to productivity growth since 1935.

Furthermore, the report indicated that the "education system does not provide adequate work skills to the 61 percent of students who do not go on to college. Of these, many fall completely from the life and prosperity of the nation because that nation has not prepared them to participate."

This simple fact offers little hope for our future. At this critical economic juncture we cannot afford to let so much potential talent fall by the wayside. For our economic revitalization will call, with unprecedented urgency, upon the full capabilities of each citizen. All of our students must be prepared to develop fully their individual potential—both the college and the non-college bound. Only through such a contribution of collective talent and energy can we sustain our present position and guarantee growth in the future. The education and training of our workforce must begin with a strong program at an early age; otherwise the battle will be over before the war is waged.

Dr. Harold Carr, the Superintendent of the Great Oaks Schools in Ohio, summed it up best in an interview on the CBS Evening News:

> We can't afford to lose anybody. If we lost a person, we're groping to have to import someone to take that job, or export that work out of the United States.

The Committee thus began this year's reauthorization with a profound and historical understanding of the impact that vocational education has had upon the strength of our economy. It is within this context that the reauthorization provisions contained in S. 1109 were fashioned. The federal vocational education dollar accounts for only about 10 percent of all vocational education spending. But it is without question the engine that pulls the train. The Committee believes that the federal effort, therefore, must provide a framework that enables vocational education to fulfill its role as a vital component to keep this country on the cutting edge of competition and productivity in the international economy. The mission of vocational education is historically bound. Truly the comments of Georgia Congressman Dudley Hughes, when the original Smith-Hughes Act was passed in 1917, continue to characterize the importance of our work in vocational education reauthorization in 1989:

> The greatest resources of any nation is the undeveloped skill and vocational education possibilities of its population. We must work at this as industriously as we have worked our water power, our mines, our fields. Vocational training is especially needed to prevent waste of human labor, which is the most destructive form of extravagance of which a nation can be guilty.

The 1981 study of the National Institute of Education on Vocational Education had a major impact on the last reauthorization of the Vocational Education Act in 1984. The study brought several concerns regarding federal vocational education assistance sharply into view. The central conclusions of the study were that:

1. The Vocational Education Act of 1963, as amended, attempts to accomplish too much with too few resources.
2. The 1976 Act is prescriptive in the processes and procedures it requires but permissive in what it allows the states to do with federal funds.
3. Encouraging change and improvement in the Nation's vocational education enterprise is a key purpose of federal policy, but the Vocational Education Act lacks effective provisions for achieving this objective.

The Committee determined that the lesson drawn from this study was that by attempting too much, the Vocational Education Act stood for too little. Thus, the changes made to the Act in 1984 were dramatic, and were designed to address the concerns raised by the 1981 study. In that reauthorization, Congress directed what is now the Office of Educational Research and Improvement to conduct a national assessment of vocational education programs assisted under the Carl Perkins Act. The assessment was charged with evaluating several objectives of the Carl Perkins Act, but its basic purpose was to provide Congress with information on how the changes made in 1984 addressed the concerns that the federal voca-

tional education dollar was trying to accomplish too much with too few dollars.

An interim report of that study was presented to Congress in January of 1988, the second interim report in September of 1988, and the final report was submitted in July of 1989. This assessment, coupled with a study conducted by the General Accounting Office entitled "Vocational Education: Opportunity to Prepare for the Future," gave the Committee a powerful overview of the implementation of the 1984 Act. Both studies indicated that although there was compliance with the actual law, there was not compliance with the intent behind the 1984 reauthorization. The Committee therefore determined that the focus of the 1989 reauthorization would involve specific direction for the use and the purpose of the federal dollar.

The major findings of the National Assessment of Vocational Education can be summarized in three main points:

1. The legislation is a weak instrument for meeting the basic goals of increasing the access of special populations to high-quality vocational education and improving overall quality.

2. The amount targeted under the federal vocational education dollar has not increased as a result of the new intrastate formula in the 1984 Act. The study found that federal resources are insufficiently targeted because the definitions are too loosely drawn.

3. The multiple setasides contribute to the fragmentation of resources with the result that few are served well.

The General Accounting Office report was the result of an intensive and detailed examination of the implementation of the Perkins Act in six states. The most important findings of the GAO study were that under the Perkins law:

1. The addition of academically disadvantaged to the definition of economically disadvantaged in developing an intrastate formula has enabled wealthy school districts to receive more per pupil allocations than poor school districts.

2. Vocational education students in economically depressed areas are less likely to receive funds for the improvement or modernization of programs.

3. Twenty-two percent of school districts had more academically and/or economically disadvantaged students served in vocational education programs than low-income high school students enrolled in the entire district.

The Committee found both of these studies enormously valuable and illuminating, and would like to commend John Wirt and his staff for their fine work on the National Assessment of Vocational Education, and William Gainer, Thomas Hubbs and their staff for their fine work on the GAO report.

The changes to current law made under S. 1109 can largely be attributed to the findings contained in both reports. The Committee determined that these findings essentially echoed the frustrations and problems expressed by many of those who are on the front line of vocational education delivery throughout the nation. They also mirror the Committee's own views on the results of implementation of the Perkins Act based on its oversight of implementation of the 1984 reauthorization.

The need to define more narrowly the use of the federal dollar became particularly clear in light of the shift in assistance since the initial Smith-Hughes Act. Where federal vocational assistance once represented 90 percent of all funds spent for this purpose nationwide, today each federal dollar is matched at the state and local level by about 10 dollars on average. The Committee feels very strongly that in light of the diminished federal share, the use of the federal vocational education dollar should be made more effective by relating it to the purposes of assistance in other federal education programs, and most specifically, the Chapter 1 program of the Elementary and Secondary Education Act of 1965.

B. OVERVIEW

The central structure of the 1984 Act focused Perkins funds on two primary concerns: access and quality. Thus, funds were divided within the state into two parts: special populations (access) and program improvement (quality). Unfortunately, this bifurcation created an artifical distinction between quality and access by implying that monies spent on program quality did not have to be spent on the poor, the handicapped, or the limited-English-proficient. Conversely, it created the impression that programs for special populations did not have to be state-of-the-art.

S. 1109 requires that 100 percent of the Perkins funds be spent on program improvement efforts for traditionally underserved populations. This brings the Perkins program into line with other major federal education programs, such as Chapter 1 and the Education of the Handicapped, while also fulfilling the goal of ensuring that programs are of the highest quality to keep America on the cutting edge of economic competition.

Within this context, S. 1109 was designed to accomplish five goals: targeting the money to those who need federal help the most, stressing a linkage between secondary and postsecondary education, integrating academic and vocational education, making sure that vocational education programs are state-of-the-art, and an adherence to the concept that vocational education is not simply job training, but vocational education and training.

The need for better targeting of monies allocated within state is strongly indicated by the findings in the Assessment and the GAO studies. Despite the fact that progress has been made under the 1984 Perkins Act in serving special populations, the Committee remains greatly concerned that more work needs to be done. The primary role of the federal government in education is one of securing access and equality of opportunity in education. In essence, federal dollars protect those who lack sufficient educational opportunities. The setasides created in 1984, although intending to serve these populations, created a structure in which funds were fragmented and distributed in insufficient amounts to make a significant impact upon the vocational education needs of the special populations they were designed to serve.

The Committee believes that one of its main responsibilities in this reauthorization is to create a more effective method for targeting the money—both by targeting it directly to students in need and by targeting allocations in sufficient amounts to be effective. S.

1109 therefore, for the first time, drives funds directly to the local educational agency, the area vocational school, or the intermediate educational agency charged with vocational education delivery. It does so on the basis of the Chapter 1 formula in the Elementary and Secondary Education Act. This formula is based on poverty, and the Committee believes that this is the most effective method for focusing dollars on areas of greatest need. In addition, S. 1109 stipulates a minimum grant of sufficient size to produce change and to avoid frittering the federal dollar away.

Once the money is allocated, the reauthorization bill requires that Perkins funds serve four important populations: the economically disadvantaged, the disabled, the limited-English proficient, and equity needs and concerns of training women and men in nontraditional occupations. The formula takes into consideration the need to provide programs for the incarcerated by defining state correctional education agencies as local educational agencies for the purpose of distribution. This, the Committee hopes, will result in an increased flow of funds to provide education and training to end the horror of the revolving door from prison to society and back to prison.

In meeting the challenge of serving the twin objectives of equity and program excellence, the bill makes very clear that funds are to be spent on both objectives. S. 1109 places a strong emphasis on programs which integrate academic and vocational training, and on program improvement as ongoing efforts to deliver state-of-the-art vocational education and training to all students. In addition, strong requirements are included for providing supplementary services to targeted populations to ensure their full and equitable participation in quality programs.

The Committee believes that the integration of academic and vocational education is essential to the continued viability of vocational education as an important part of the educational system as a whole. This is particularly true in light of the current needs of employers, and even more true upon examination of the projected needs of industry. In a paper for the National Center on Education and Employment, Dr. Sue Berryman, Director of the Institute on Education and the Economy at Columbia University, outlines the central challenge:

> Skill requirements for jobs are becoming more generic and less job-specific. The need for all students to acquire generic work-related skills argues against secondary occupationally-specific programs unless these are well integrated with symbolically based-learning.

The integration of academic and vocational schooling combines both types of instruction in a manner that enhances the educational development of the students who are attracted to the vocational program. Many students are in vocational programs because the college-track program or the general education program does not respond to their needs. Often, a student can find in a vocational course the spark that ignites his or her interest, and leads to success and accomplishment in school. This, the Committee believes, is one of the major contributions of vocational education: the strengthened self-esteem of an individual who may have lost hope

through the more traditional education program. Once enrolled in vocational courses, these students—who may have had great difficulty grasping abstract educational skills such as mathematics—can learn these principles and concepts within an applied context.

This is the contribution that integration of academic and vocational education provides—and it is a contribution that will accrue to the employer as well as the individual. Given that individuals will change occupations, or indeed skill requirements within occupations will change frequently, it is essential that vocational education students have a strong foundation in education skills. Eric Engberg in a CBS Evening News story on vocational education aptly described this situation:

> Analysts predict that the average worker of the future will change jobs five or six times as technology advances. Educators said the challenge will be to mix job training with sound academic background, so the next generation can handle jobs that may not even exist today.

The Committee notes that such integration must be supported by a two-pronged approach: it must include the development of the curricula, and it must include the teacher training required to make effective use of that curricula. Thus, there is heavy emphasis both in state and local programs on the integration of academic and vocational education both with respect to curriculum development and to teacher training.

Another essential component of vocational education is guidance and counseling. This means both pre-vocational counseling as well as comprehensive guidance and counseling when the student is pursuing a course of study in vocational education. It means not only counseling for jobs or postsecondary education after graduation from secondary school but also part-time and summer job counseling and assistance while the student is in secondary school. The Committee, therefore, has included explicit provisions requiring guidance and counseling services at the local level, and has made provision for training programs for counselors at the state level.

The Committee believes that one of the difficulties with current law is that there is no clear distinction between secondary programs and post-secondary and adult programs. Both, obviously, serve different populations, and therefore enjoy distinctly different goals and objectives. Significant federal leadership in either area, therefore, is greatly diminished without a clear delineation of the designation of secondary school programs and of adult and postsecondary programs within the State. Secondary school vocational education programs serve multiple purposes. They keep students in school, they encourage students who have turned away from an academic program to learn those same skills through other methodologies, and they prepare students for a lifetime of work and of future learning.

The goals of secondary school programs can also be characterized as more long-term than those of postsecondary or adult education. This is chiefly because the individuals enrolled in postsecondary instruction or in adult programs have much more specific needs and expectations of the outcome of their course work. The objective at

that stage is more clearly tied to immediate employment, and often to employment in a specific industry.

S. 1109 breaks new ground by specifying a split in federal spending between secondary education on the one hand and adult and postsecondary education on the other. This split is crucial to the viability of the reauthorization structure. It enables the federal dollar to be targeted by a formula at the secondary level, and at the same time enables considerable flexibility in the distribution of funds for both postsecondary level and adult programs to ensure that these programs are ties to areas where employment opportunities exist and to state economic development plans.

The split in S. 1109 between secondary and postsecondary and adult programs was the subject of considerable examination and deliberation by the Committee. Language in S. 1109 would enable states to apportion a range of between 65 percent and 75 percent for secondary school programs, and a corresponding 25 to 35 percent for postsecondary and adult programs. The bill as reported out of Subcommittee had designated 70 percent for secondary programs and 30 percent for postsecondary and adult programs. This split was raised as a point of discussion at the Subcommittee level, and some members expressed concern that more flexibility should be added in this apportionment. Language providing for a range was therefore added at the Full Committee markup to accommodate these concerns.

It is the Committee's strong belief that the bulk of the federal vocational education funds should be directed to the secondary school level. This is where the dropout problem has reached tragic proportions. It is also where we must address the wrenching effect that poverty has upon the educational achievement of our young. And, all too often, it is where the problems of drugs and crime take their most terrible tolls. If we do not afford those young people the help they need, they will not even complete secondary school, let alone attend college.

It is critical that federal vocational education dollars strengthen programs at the secondary school level to keep students in the educational pipeline before they drop out of school. An article on vocational schools in Fortune magazine by Nancy Perry outlined the contribution of vocational education in this regard.

> Modern vocational education does something at least as important as train labor: it helps keep youngsters in school. Though only half of those who enter high school go on to higher education, American schools persist in treating non-college-bound students like second-class citizens. So, many drop out. Quality vocational programs can motivate students to stay in school—and maybe even go to college—by making academics more palatable and by providing highly marketable skills.

The Committee notes as well that assistance to secondary school students through the Perkins Act becomes particularly critical in light of the fact that federal vocational education funds represent the major federal investment in secondary school students. Basically, federal financial assistance begins with the Head Start and Even Start Program at the pre-school age, and is continued by the

Chapter 1 program. The overwhelming majority of Chapter 1 funds are targeted to grades K–6. It is the funds under the Carl D. Perkins Vocational Education Act that connect the pipeline of assistance between Chapter 1 in the elementary grades and student financial assistance in postsecondary institutions.

The Committee recognizes that there is a wide degree of variance among states in their balance of secondary and postsecondary funds. Some States spend 100 percent on programs in secondary schools; others spend 100 percent of their funds at the postsecondary level. The Committee, therefore, has included two important provisions to ease implementation of the split so that States do not have to reconfigure their programs overnight.

Provisions have been added in S. 1109 that would allow a three-year phase-in. In addition, in meeting the apportionment percentages in S. 1109, the Committee has included a waiver of the supplement not supplant provisions for those States that currently spend more than 75 percent of their federal funds on postsecondary programs. These provisions are examined in greater detail in the next section of the Committee report.

S. 1109 also provides clear direction and protection for the sex equity programs and the programs for single parents, displaced homemakers and single pregnant women. These programs have produced remarkable results, and the Committee believes that the legislation must ensure that they continue to do so in the future.

Under S. 1109, the provisions with respect to the responsibilities of the State represent another dramatic departure from current law—one the Committee believes will strengthen and expand the role the State now plays in vocational education. Sending money directly to local areas requires guarantees that local areas will provide essential services to the targeted populations. Similarly, S. 1109 offers the State a new role and new powers in monitoring and evaluating what goes on at the local level and in providing leadership in tying programs to the State's economic expansion. In the same vein, the legislation gives the Secretary of Education more authority in the approval or rejection of State plans.

In addition, the Committee acknowledges that the State plays a critical role in curriculum development, in teacher, administrator, and counselor training, and in the training of community-based organizational personnel. S. 1109 continues federal support for these important efforts at the state level, as well as the support the state provides for student vocational clubs.

Support for student vocational clubs is something the Committee believes is absolutely necessary. These clubs often provide students not only inspiration but also a sense of confidence, purpose and accomplishment that augments and strengthens what occurs in the classroom. They are important activities that should most definitely be enhanced, which is precisely why they are highlighted in this legislation.

One of the most innovative designs of vocational education delivery is the tech-prep concept linking two years of secondary education with two years of postsecondary instruction. This model is the brainchild of Dale Parnell, the President of the American Association of Community and Junior Colleges. In his book "The Neglected Majority," Dr. Parnell carefully constructs the argument for

these "two plus two" programs. Senators Pell and Cochran introduced S. 439 to authorize a grant program that would bring the tech-prep model into the mainsteam of the federal Vocational Education Act. The Committee has incorporated that legislation into S. 1109 as part of the state basic grant to ensure that all states develop and implement these tech-prep programs, and to ensure a sufficient allocation of dollars so that this important concept will have an impact nationwide.

The "two plus two" model provides an important bridge between secondary school and postsecondary instruction. This linkage serves to encourage students who might have ended their education with high school to extend their educational program into post-secondary instruction. An examination of future employment needs underscores the importance of technology education. Projections from the Department of Labor indicate that occupational needs for the fastest-growing jobs will require some education beyond the high school level. These jobs require a considerable degree of technological literacy. They include: computer service technicians; computer systems analysts, programmers and operators; electrical and electronic technicians; and mechanical engineers and mechanical engineering technicians. Other "two plus two" programs which have demonstrated success are in the areas of engineering, health and agribusiness, and the Committee has included these programs under the umbrella of tech-prep as well.

The tech-prep provisions that are woven throughout each part of the State basic grant speak directly to the emphasis in S. 1109 on state-of-the-art programs. The Committee believes that these programs provide the carrot that will encourage States and localities to place their vocational education programs on the cutting edge of the employment and skills needs of industries within the area.

These landmark changes, as well as the other provisions in S. 1109, enrich the lifeblood of vocational education. The new structure, in the view of the Committee, is one that will enhance and uphold the federal commitment to equity and access. It will provide important leadership in responding to the needs of our economy and it will improve the avenue that vocational education offers to students and adults to reach to the full limits of their individual talent and potential.

IV. Provisions of the Bill

The Carl D. Perkins Vocational Education Act Amendments of 1989 set an authorization ceiling of $1.5 billion in fiscal year 1991 and such sums as may be necessary for each of the fiscal years through 1995. The authorization ceiling represents the kind of growth in the Perkins Act the Committee believes is necessary to have a significant impact on the education and training of both our young and adult students. The Committee recognizes that past appropriations increases for vocational education have not been large. This is due in large part to the fact that the current distribution of the federal dollar does not have a tightly defined target. Under current law it has been unclear what an increase in vocational education funds would mean in terms of serving more students or adults. The Committee notes that the reconstituted structure of de-

livery prescribed by S. 1109 would clearly define who is served. This, the Committee believes, would in turn encourage a greater funding commitment in federal vocational education assistance because the impact would be more demonstrable.

While S. 1109 provides for a healthy increase in the authorization ceiling, it concomitantly repeals all titles of the Act that have not received appropriations in the past five fiscal years. In repealing the titles, however, the Committee has crosswalked language from these titles into the State basic grant section (in the case of the adult training and retraining Parts in Title III), or into the national programs (in the case of the guidance and counseling Part under Title III). The Committee believes that incorporating these sections into the major title of the program will ensure that funds are available for these important activities.

As has been noted previously, S. 1109 dramatically changes the structure of current law. The outline of the distribution of funds appropriated for the Perkins Act under S. 1109 is as follows: 5 percent of the allocation is reserved for national programs and programs of special concern, such as those for Native Americans. The remaining 95 percent is distributed to the States according to the current formula.

The Committee recognizes that the current interstate formula may not adequately take into account significant concentrations of poverty. However, the current distribution to the States has not been carefully examined since 1963 when the formula was first enacted. The Committee's major purpose in the 1989 reauthorization, however, was that of restructuring the within-State allocations. In view of these dramatic changes within the States, the Committee felt that proposals to change the distribution to the States should be reserved for consideration in future reauthorizations. One of the main reasons for this decision was that the formula to the States was not a subject of reauthorization hearings, nor was it a subject covered in any of the major studies or evaluations of the Perkins Act.

The Committee does believe, however, that it is critical that there be an evaluation of the current formula, as well as an evaluation of alternative options for sending vocational education dollars to the States, in preparation for the next reauthorization. Therefore, the Committee has commissioned the Department of Education to undertake a study of the formula under Part A of Title IV of the Act.

The purpose of the study is to determine if the current distribution mechanism successfully targets funds to those States having the greatest need for federal assistance under this Act, and to make recommendations on the most appropriate method for directing federal funds to the States to meet the objectives of this Act.

In conducting the study, the Secretary is directed to take into consideration such information as the poverty rate of the school-aged population, the State's commitment to education as evidenced by the percentage of revenues expended on education, the relative ability of a State to fund vocational programs without federal assistance as evidenced by the relative tax capacity and the gross State product per school-aged child, and other circumstances indicating need, such as, but not limited to, high dropout rates and

high unemployment rates. The Committee believes that the study should utilize U.S. Census data collection figures for 1990 and that it be completed and submitted to the Congress by January 1, 1994.

In addition, the bill creates a new authorization of $100 million for grants to States with severe conditions of poverty to be used to improve and expand vocational programs in areas of the State with high concentrations of disadvantaged students. This special allocation of supplementary grants is to be distributed by the Secretary of Education according to each State's share of allocations under the Chapter 1 concentration grant formula to supplement existing programs in order to meet the special educational needs of disadvantaged students. The Committee recognizes that States experiencing particularly high incidence of student dropouts, teen pregnancies, unemployment or individuals living below the poverty rate, or a combination of these factors may not have adequate resources to effectively serve the disadvantaged student population. Because vocational education programs offer a course of study that is so important in building an educational foundation that is the link to employment and self-dependence for many students, the Committee believes it is appropriate for additional federal dollars to be targeted to high needs areas to assist States in serving their disadvantaged student population. The Committee has agreed to include additional legislative language before final consideration of S. 1109 in the Senate in regard to State use of these supplementary grants, as well as provisions to make this a discretionary grant program should appropriations for these supplementary grants be less than $50 million.

Once the money is distributed to the States, S. 1109 earmarks reserves for the State, for the local provider, and specifies a split in the apportionment of money between secondary school programs and postsecondary and adult programs. From the total state allocation, 20 percent is reserved for state programs, administration and leadership. Five percent is reserved for Tech-Prep programs. The remaining 75 percent is divided between secondary school programs and postsecondary and adult programs. In determining this apportionment, states may allocate a range of between 65 percent and 75 percent for secondary school programs, and between 25 percent and 35 percent for postsecondary and adult programs.

STATE PROGRAMS

The primary objective in restructuring current law through S. 1109 is to ensure that the funding is targeted directly to students in need. This is best accomplished, the Committee believes, by driving the money down to the local level. However, the Committee recognizes that there is a significant role for the states to play in carrying out programs in two important areas: curriculum development and teacher training. The Committee, therefore, has enabled states to reserve 20 percent of the funding for state activities and programs.

Five percent of this allocation may be reserved by the State for State administration. However, S. 1109 requires that the State match those administration monies dollar for dollar. This requirement will ensure that federal funds do not represent the lion's

share of funds for state administration. The Committee recognizes that effective administration of vocational education programs can only be accomplished with fiscal support, but it is the Committee's clear intent that the primary use of the federal dollar should be that of direct services. In the Committee's view, the five percent limitation on administration with the required match achieves that objective.

The remaining fifteen percent of monies reserved at the State level may be used to support statewide programs and State leadership activities. Because S. 1109 changes the Perkins Act and places new responsibilities at the local level, the role of the State is similarly redesigned. By driving money to the local level, S. 1109 frees up the State to monitor and evaluate programs, set goals and priorities, emphasize program improvement and excellence, and provide the kind of state leadership that will encourage programs to address the economic needs of the state. The Committee believes that this new concept of the state responsibility will enable the state to focus upon what can best be accomplished in carrying out the federal program.

Leadership activities carried out by the state may include monitoring, evaluation, and technical assistance, which would also include the development of performance evaluations and the state assessments. In addition, leadership activities would include promoting education linkages with business, industry and community-based organizations, creating public awareness programs on vocational education opportunities, and improving coordination with other relevant training programs and vocational education activities.

The Committee recognizes that there should be a very clear distinction between state leadership and program administration activities. Furthermore, it is the intent of the Committee that amounts held at the state level should focus on programs, and that in complying with S. 1109 the States are to spend the majority of their allocated funds on programs that benefit local providers.

The Committee believes there are three program functions most effectively carried out at the state level: teacher and administrator training, curriculum development, and the support of statewide student vocational organizations. The Committee recognizes that the State has an important role to play in these three areas, and has therefore provided money in S. 1109 for the State to carry out these activities. Because of the need to integrate academic and vocational education programs, priority in awarding these funds should be placed on curricula which integrate the vocational with the academic training, and a priority for teacher training programs in using this integrated curriculum.

Other areas the Committee believes should be emphasized are minority teacher recruitment and the utilization of business and industry, particularly with respect to equipment and personnel. Finally, because tech-prep programs are so central to the upgrading of vocational instruction, money reserved at the state level can be used for grants for tech-prep programs.

Of the twenty percent reserved at the state level, an amount that equals twenty percent of those funds shall be reserved for sex equity programs. While it is the intent of the Committee that

money be driven to the local level, there is no real method for insuring that equity considerations are factored into the development of local programs. Unlike protections for other traditionally underserved populations which have clearly identified populations, the state cannot ensure that sex equity programs are carried out according to need. Students in need of these services are not always identifiable, so there is a high risk that equity needs with respect to gender will be ignored. The Committee has, therefore, retained the reserve at the state level to carry out these important programs.

TECH-PREP PROGRAMS

Under S. 1109, five percent is reserved at the State level for grants for tech-prep programs. It is the clear intent of the Committee that this five percent act as a floor, not as a ceiling, in support of these critical programs. A discussion of this issue was raised as a part of the Subcommittee markup, and the Committee agreed to include additional language regarding the permissive use of funds for tech-prep programs throughout other parts of the bill, specifically within the State operated programs, under funds received by local programs and as a part of grants made for postsecondary programs.

Within the five percent specifically reserved for tech-prep programs, states may make grants to consortia linking local education agencies, area vocational schools or intermediate educational agencies on the one hand, with, on the other hand, community colleges, postsecondary vocational technical schools offering two-year degrees, an apprenticeship program, or an institution of higher education offering a two-year degree, an associate's degree, or a two-year post-secondary certificate.

The committee has included apprenticeship programs as part of the "two-plus-two' model because of the very great need for more highly qualified craftsmen. The Committee believes that these programs are an essential component of preparing skilled workers for available jobs in order to prevent these jobs from being done in other countries.

The Committee notes that the partnerships created between secondary schools and programs at the postsecondary level should be of equal collaboration in order to be effective. Both sides of the partnership should take into account the needs of the other institution and of the students served in developing a plan and proposal for funding from the State.

The Committee wants to make very clear that tech-prep programs strengthening coordination between secondary and postsecondary programs may include engineering technology, applied science, mechanical, industrial or practical arts or trades, as well as agriculture, health, communications, or business.

LOCAL PROGRAMS AT THE SECONDARY SCHOOL LEVEL

Part C of Title II of S. 1109 designates the use of the remaining 75 percent of the funds. As has been described briefly in the previous section of this report, States are required to distribute between 65 percent and 75 percent of this amount for secondary school pro-

grams and 25 percent and 35 percent for postsecondary and adult programs.

SECONDARY SCHOOL PROGRAMS

Within State formula

Subpart 1 of Part C requires that the money apportioned for secondary school programs be distributed within the State on the basis of the Chapter 1 formula. The Committee makes very clear that the recipients of these funds shall be local educational agencies, area vocational schools serving local educational agencies, or intermediate educational agencies providing vocational education. In order to distribute funds to these recipients, States must first calculate the share of each local educational agency based on its share of both the Chapter 1 basic grant and its share of the Chapter 1 concentration grant.

In order to make provision for education and training programs for the incarcerated, States are required to factor in the state correctional education agency as if it were a local educational agency. All persons in correctional facilities between the ages of 9 and 25 are to be counted as fully eligible under the Chapter 1 count, except that the amount apportioned for corrections programs under this count shall not exceed five percent of the total amount available under this Subpart.

Under S. 1109, States are required to award funds to local educational agencies, area vocational schools serving local educational agencies, or intermediate educational agencies providing vocational programs. States are required to distribute funds to these recipients on the basis of the Chapter 1 calculations described above. Should the state opt to direct funds to the area vocational schools or intermediate educational agencies, they are required to do so on the basis of the aggregate total of amounts the LEAs served by such agencies or schools are eligible to receive.

The Committee has included a minimum grant provision so that a sufficient amount of money will be provided to support programs that will have an impact. Concerns raised by the National Assessment on Vocational Education indicated that funds were being distributed in insignificant amounts, and as a result, the impact of the program was being "frittered away." The Assessment found, for example, that the average size of a grant was $5,000, and concluded that the federal government was as a result not getting "a bang for its buck."

Under S. 1109, therefore, no grant under the allocation formula shall be less than $25,000. If under the State's calculation, an LEA, area school or intermediate educational agency's allocation is less than $25,000, that recipient would be ineligible for a grant, and the money would be redistributed to the other recipients according to the formula. The designation of $25,000 as the minimum grant was the result of considerable delibration by the Committee. The bill as reported out of Subcommittee had set the minimum at $50,000. However, concerns were raised in a discussion at the Subcommittee markup that smaller, deserving rural areas would be cut out of assistance by this higher minimum grant. The Committee therefore reduced the size of the minimum grant to address that concern.

In addition, the Committee added language that local educational agencies and other recipients could form consortia in order to meet the minimum grant threshold to receive assistance. Language was included as well to permit States to provide funds both to area vocational schools or intermediate educational agencies and at the same time to local educational agencies served by those schools should each be eligible for the minimum grant allocation.

The Committee recognizes that the Chapter 1 formula, which is based on poverty, may not always take into consideration severe needs that are experienced by areas with particularly high concentrations of poverty, or needs in areas that are heavily affected by high crime rates, by high drug abuse, or which have a highly concentrated enrollment of students with limited-English-proficiency. In order to address this problem, the Committee has included a provision that enables States to reserve up to 10 percent of their allotment under this Subpart and to redirect funds to these areas of exceptional need. In exercising this option, States must match this reserve on a dollar for dollar basis. They may not pass this match along to the local recipients or providers, and the match must be provided out of non-federal, state or private sources.

Funds reserved under these calculations for State corrections education programs shall be administered by the State Corrections Education Agency or by the Agency responsible in the State for correctional education programs. The pertinent agency shall distribute the money based on the relative numbers of those enrolled in State institutions, in prisons and in reformatories. Special emphasis is to be provided for women who are incarcerated.

Populations to be served

Out of the funds distributed, the local provider (i.e. the local educational agency, the area vocational school, or the intermediate educational agency) is to serve the economically disadvantaged, individuals with disabilities, limited-English-proficient students and for programs to achieve sex equity. The Committee believes that focusing the dollars solely on these populations will improve the services provided to populations that have previously been served by the structure of setasides.

The Committee believes that this will be accomplished by the three-pronged assault contained in S. 1109: (1) by driving money directly to the local level; (2) by requiring that each recipient of dollars provide the supplementary services necessary to ensure full and equitable participation in programs; and (3) by adding new requirements for monitoring of services at the local level and at the State level. The State administrative provisions and the State plan require that at the State level the head of the special education unit, the sex equity coordinator, the Chapter 1 coordinator and the administrator responsible for bilingual programs review the local plans to ensure that the needs of the respective populations are met.

In serving these populations, language in Section 229 requires that they be provided with supplementary services. These services are defined as curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

With respect to services for students with disabilities, S. 1109 requires in addition that each local recipient carry out vocational education provisions that are contained in the student's individualized educational plan, as required by the Education of the Handicapped Act. Local recipients shall also provide assurances that the rights under section 504 of the Vocational Rehabilitation Act and under Public Law 94-142 to equal access to programs are carried out. These assurances, as well as the plans for serving this population are also to be reviewed by the Special Education Advisory Board authorized in Section 613(a)(12) of Public Law 94-142.

The Committee believes that driving the money to local level on the basis of the Chapter 1 formula provides proper targeting to ensure that the poor are served. Under the Chapter 1 program in ESEA, once funds are driven on the basis of economic need, programs may serve both the economically and the educationally disadvantaged. In view of the fact that this has been proven to be a successful method of serving these needs in Chapter 1, the Committee has crosswalked this structure of service to the Perkins Act. However, the Committee recognizes, as it articulated in the GAO study, that inclusion of the term, "academic" in the definition of disadvantaged in the 1984 reauthorization permitted States to focus their efforts on the academically disadvantaged at the expense of the economically disadvantaged. That was not the intent of the Committee at the time, and it continues not to be the intent of the Committee with respect to this reauthorization.

The Committee believes that by distributing allocations on the basis of a poverty-based formula, the States will no longer be able to violate the Committee's intent by spending more per pupil in wealthy districts than they spend in poorer districts. Implementation of this provision is something the Committee will continue to monitor carefully in preparation for the next reauthorization.

Services to the limited-English proficient under this Act may also include occupationally specific courses of study, cooperative education programs and apprenticeship programs, adapted vocational instruction simultaneously with English language instruction, and the utilization of appropriate agencies and community-based organizations to communicate in and provide counseling in the native language of the students.

Services to eliminate sex bias, stereotyping and other barriers that inhibit the participation of women and men shall include recruitment, enrollment and placement activities in education and training programs in nontraditional occupations, and may include prevocational services for that purpose.

These activities are to be carried out by the local recipients to ensure that the special populations are given full access to quality programs. In addition, the local recipients are to use Perkins funds to support programs which integrate academic and vocational training. Such integrative activities are intended to support a sequential course of vocational study which uses an applied context to teach both broad and specific job training and which at the same time reinforces academic skills. In providing such instruction, efforts are also to be made to utilize business models of applied learning techniques.

In addition, funds are to be used for program improvement, including instructional services, curriculum and materials development and state-of-the-art equipment to upgrade instruction. The Committee recognizes that programs of integrative curriculum and program improvement for the special populations may also benefit the school as a whole. This is self-evident in the case of integrative curriculum that could obviously serve all populations. It is also clear in the case of equipment, which is purchased for use by special populations, but which may sit idle at other times and could be used by other students in the school. The Committee is very specific on the fact, however, that activities for these two purposes may benefit the whole school only when the needs of the special populations have been met. Any local recipient wishing to use this exception must demonstrate in its application that it has first met the needs of the special populations, and the State education agency, in reviewing the application, is to ensure that the needs of these populations have first been met.

Funds under this Subpart shall also be used for guidance and counseling activities. The bill requires that each student by grade 9 is to be provided with counseling on the courses of study and the occupational opportunities for employment after graduation, and on summer and part-time employment during the school year. Counseling provided is to include information about postsecondary opportunities and apprenticeship programs. These counseling programs are to begin at the pre-vocational level, but are are also to be carried out through the duration of the remainder of the student's schooling. The Committee believes that these guidance and counseling activities are essential to the effectiveness of the vocational education program.

These are the necessary support services that often make the critical difference between passive learning and active pursuit of a challenging course of study or training. They will also offer students an increased sense of self including direction for the future, and motivation to meet those future objectives.

Furthermore, the bill requires each local educational agency, area vocational school or regional provider receiving funds to designate a qualified counselor or teacher who will ensure that special populations are receiving adequate services. The individual designated may be compensated in whole or in part through payment out of local administration funds. The Committee has included this requirement to build in accountability at the local level to ensure that these services are provided.

S. 1109 requires that Perkins funds be used to supplement, and to the extent practicable, increase the amount of assistance that would be available without federal assistance. This language requires that the federal funds shall not be used to provide the basic occupational and academic instruction and resources that would otherwise be made available to students from State and local funds.

As has been noted earlier in this report, tech-prep programs are encouraged throughout all parts of this legislation. Funds by local recipients may be used for these important linkages to serve the special populations identified.

Finally, S. 1109 places a cap on no more than five percent on administratives expenses. This is in keeping with other federal educa-

tion acts, and is borne out of the concern that the majority of funds provided through the federal government be spent to provide direct services.

Local plan

Each eligible local recipient must submit an application to the state in order to receive assistance. In the plan, the local recipient must provide assurances to the state that they have conducted a comprehensive assessment of the needs of special populations, including the planned use of funds to meet those needs. In addition, they must provide assurances that they have provided avenues for full and equitable participation in quality vocational education programs and that the local recipient will evaluate the progress of meeting the goal of full and equitable participation. In addition, the local recipient is required to describe its coordination with other relevant programs such as programs under the Job Training Partnership Act. The Committee believes such a description will ensure that programs at the local level will avoid duplication and improve coordination.

In order to ensure that adequate services are provided to special populations, the bill requires that the local applicant is to consult with parents and students in the development of the planned use of funds, and to coordinate efforts with community-based organizations that can improve the quality and the scope of services provided to these students. Finally, the special populations coordinator is to review and comment upon the application submitted to the State.

Performance evaluation and program improvement

In order to achieve the goals of program quality and improvement, the Committee has crosswalked provisions from the recent reauthorization of the Chapter 1 program with respect to program improvement. The Committee has thereforce included language that requires local recipients to develop evaluative standards to measure program improvement. These are to include progress in the achivement of basic skills and occupational skills as well as the ability to meet the needs of special populations. In the same manner, the Committee requires the State to develop similar measures to evaluate progress, quality and performance. It is the intent of the Committee that standards developed by the locals and by the State be coordinated. Both the local recipient and the State are required to evaluate their programs based on their own criteria.

Indications of inadequate achievement are to be addressed by the local recipient through a local improvement plan. If after one year of implementation of the local improvement plan, progress continues to be inadequate, the State is to work with the local recipient to develop a joint improvement plan.

The Committee intends that the contents of the joint improvement plan are to include specific technical assistance, including provisions for additional equipment, staff and training from the State in order to meet the objectives of improvement. Funding for this assistance is to be provided from leadership activities allowed under Part A of title II with respect to State Programs. The Committee does not intend this to be punitive in nature, but rather to

encourage an infusion of resources from the State on programs that are in need of assistance and improvement.

POSTSECONDARY AND ADULT PROGRAMS

The legislation, as has previously been noted, directs the State to reserve amounts for postsecondary programs and for programs for adults within a range of 25 percent to 35 percent of allocations available for Part C of title II. The Committee believes that no adequate formula exists for the within-State allocation of postsecondary and adult monies that would follow the vocational education students served at these levels. The Committee therefore leaves the determination for distributing these funds up to the State. States may opt to distribute monies on a Request for Proposal Basis. They may also distribute money on the basis of a state determined formula, a pocedure already in effect in some states.

Funds awarded under this Subpart may be allocated to postsecondary institutions, to programs for adults in secondary schools or to area vocational schools serving postsecondary students or adults. They may be granted as well to community-based organizations or any consortia of these eligible recipients.

In awarding funds, the State shall give priority to programs which serve the economically disadvantaged, individuals with disabilities, individuals with limited-English-proficiency and programs which provide training for men and women in nontraditional occupations.

Priority is also to be placed on apprenticeship programs, programs which are strongly tied to economic development efforts, including those developed in conjunction with business and industry, and upon programs which train students for all aspects of the occupations in which job openings are projected or currently available. By providing training for "all aspects of the industry" the Committee intends that this training include strong experience in and understanding of all aspects of the industry the students are preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology and health and safety.

The Committee has included similar language in other parts of the bill that describe the uses of funds under this Act. The Committee's emphasis in using this language reflects a concern articulated during consideration of the bill that each vocational education student not only develop the specific skills to perform in an occupation related to his or her instructional program and sufficient capabilities to adapt to changes in the labor market, but also to acquire the personal skills necessary to apply for, secure and maintain a job.

It is the intent of the Committee that programs, especially those for adults, be coordinated with other relevant federal programs serving the same or similar populations. These programs would include those carried out under the Job Training Partnership Act, the Adult Education Act, and the Family Support Act. The Committee notes in particular that many of these programs can be offered sequentially. Coordination among these programs, similar to the concepts behind the tech-prep program, should strive to avoid du-

plication as much as possible, and should be offered to students and adults in a manner that will enable individuals to continue to build skills rather than repeating the same type of instruction.

As has been discussed earlier in this report, the Committee has repealed Part C of Title III of the previous Act, as well as Part E. Both Parts provide for training for adults, respectively, authorizing retraining programs and training programs in high techology. The Committee has repealed these titles because they have not received appropriations. However, these activities in the view of the Committee are consistent with the purpose and the goals of the Perkins Act. The Committee has therefore crosswalked language from these Parts to language describing permissible uses of funds under amounts available for postsecondary and adult programs. The Committee believes this will increase the likelihood that projects of this nature will be funded.

In addition, S. 1109 enables states to make grants for mentor programs. The Committee recognizes that the effectiveness of any vocational program depends on the ability to attract, prepare, and maintain high quality instructional and administrative staffs. To encourage comprehensive programs in teacher preparation, funds available under this section may be used to develop statewide mentoring programs. Mentoring programs establish partnerships among state certification agencies, institutions of higher education offering comprehensive vocational education programs, and local education agencies. These partnerships seek to deliver a professional development program to encourage persons from business and industry to teach in vocational classrooms as well as deliver a professional development program for teachers who wish to upgrade their teaching competencies.

Furthermore, the bill requires that the State fund apprenticeship programs. this language was included out of concern that our Nation is facing a particularly severe shortage of highly skilled workers, most notably in the skilled trades. If we do not act quickly to turn this situation around, much of this work will be contracted out to foreign countries, and the underlying support of our industrial base will be seriously eroded.

Finally, in accord with the importance the Committee places on tech-prep programs, "two-plus-two" programs are permissible activities under this Subpart.

The Committee has included provisions that would require a reserve that is equivalent to 9 percent of the 75 percent for Part C for programs which serve single parents, displaced homemakers, and single pregnant women. This amount shall be reserved out of amounts available for postsecondary and adult programs. The Committee intends that this amount be equivalent to amounts provided in the previous Perkins reauthorization. While no one group of individuals served by these programs may be deemed more needy than another, the training and educational services provided for single parents, displaced homemakers and single pregnant women remains a high priority of the Committee. Training and education for these individuals help them to return to work and support themselves. In turn, it enables them to support their children, and is one of the most effective methods of bringing whole families back into the mainstream of economic opportunity. Programs

funded under this reserve for single parents, displaced homemakers and single pregnant women are to be administered by the sex-equity coordinator, and activities may include pre-vocational services.

Administrative provisions

S. 1109 requires that there be consultation among State boards in developing plans and allocations for both secondary school programs and postsecondary and adult programs. If either State agency finds that a portion of the final State plan is objectionable, the agency shall file those objections with the State board, and the State board is required to respond to these objections in the plan it submits to the Secretary of Education.

All projects funded are required to be of sufficient size and scope to be effective. This language is designed, in conjunction with the minimum grant size size and the use of the Chapter 1 formula, to ensure that federal vocational dollars are used in a manner that will have significant impact and promote considerable change and improvement in the vocational education and training provided within the State.

In addition, the bill requires that funds be used to supplement, and to increase the amount that would be available in the absence of such Federal funds. As has been noted previously, the Committee has created an exception to this rule in order to facilitate the transition to the split between secondary and postsecondary programs. The bill gives the Secretary the ability to waive for each of three fiscal years through 1993, the provision regarding supplanting for those states that had allotted more than 75 percent of their funds for postsecondary and adult programs.

In providing for a smooth transition in meeting the allotment percentages, the bill also provides for a three-year phase-in which in effect acts as a hold harmless of 80 percent on the previous distribution. Specifically, the bill requires that in the first year the State allocate 20 percent of its funds according the 65–75/25–35 percent split, in the second year 36 percent of its funds, and in the third year 51 percent of its funds before the proportional split is fully implemented.

Finally, the bill permits programs to be developed in conjunction with community-based organizations, and to use work-site programs such as cooperative vocational education, work-study and apprenticeship programs. In addition, it permits the State board to consider granting academic credit for vocational education courses which integrate core academic competencies.

State plan and assessment

In order to foster continued program improvement, responsiveness to the economic needs of the state, coordination with other relevant programs and agencies, and to ensure that the needs of special populations are met, S. 1109 requires the State to conduct a State assessment of its goals and of its progress in meeting these goals as well as requiring that the State provide assurances to the Secretary in its State plan that it has met these objectives.

The State assessment requires the State board to develop measurable objective criteria by which to assess the quality of programs

and to develop standards for those programs. These criteria are to be developed in consultation with the State Council, with business and industry, parents, special populations served by this Act, union and trade representatives, and other relevant parties that have so high a stake in vocational education. The assessment is to include student improvement in basic skills, positive learning and educational outcomes, aquisition of all aspects of occupations competencies, and a measurement of the state-of-the-art nature of the programs provided including their relevance to the economic needs of the state. Most importantly, the assessment is to address the ability of the state to meet the needs of the special populations served by this Act, and to incorporate the local assessements of the needs of these populations as well.

In developing goals and accountability measures for meeting the needs of special populations, the State shall ensure that the goals provide for achieving success in high quality programs on the same basis as other students. The same considerations shall apply to the criteria for assessing or evaluating the program's effectiveness in meeting the needs of these populations.

The National Assessment on Vocational Education suggested that the States use six factors to assess improvements. The Committee believes that these six factors are a good index of the goals held by the federal government in investing in vocational education, and has therefore incorporated these factors into the requirements for the State assessment. These include the integration of academic and vocational education, the sequential nature of the course of study, the increased student job placement, the increase in linkages between secondary and postsecondary instruction, the ability of the programs to ensure that at-risk populations obtain the assistance necessary to enroll and succeed in upgraded programs, and the increase in the quality of vocational programs in schools with high concentrations of poor and low-achieving students.

For the State plan, the bill requires an extensive list of assurances that the State has in fact secured services for the special populations. These include an evaluation from the Chapter 1 coordinator, the sex equity coordinator, the head of the special education unit within the State, and the head of the agency responsible for bilingual education on the quality of services provided to the respective populations. In addition, it requires the State plan to set measurable goals in meeting the needs of the special populations, and to measure the kind of progress it has made in meeting those goals. It is to include information collected by the State assessment, and must describe how funds expended for occupationally specific training will be used only to train students for occupations in which job openings are projected or currently available.

Department of Education regional conferences

The change in the structure of the Carl D. Perkins Vocational Education Act is dramatic. The Committee believes that it would be highly beneficial, therefore, to increase not only the contact but also the flow of information between the Department of Education and those who are responsible for vocational education at the State and local levels in order to implement these changes in as rapid

and accurate a manner as possible. The Committee believes that implementation of these changes would be strengthened by involving vocational educators and administrators in the development of the regulations regarding this Act, as well as continued interaction after the final regulations are issued.

It is the intent of the Committee that there is adequate participation on the part of students and parents in these meetings. Thus, the Secretary shall take steps to ensure that the meetings are held in a time, place, and manner which facilities and encourages the full and informed participation of students and parents.

The recent reauthorization of Elementary and Secondary Education required a process of negotiated rulemaking to achieve this purpose. The Committee would like to commend the work of the Department, most notably that of May Jean LeTendre, in operating the negotiated rulemaking process. The Committee believes that the biggest benefits of negotiated rulemaking were the increased awareness of the intent behind the reauthorization provisions as well as better guidance in complying with the new reauthorization provisions.

Based on this experience, the Committee has added language requiring the Department to conduct regional conferences to meet with educators and administrators responsible for vocational education during both the development of proposed regulations, and again after the regulations have been finalized. This process will greatly enhance the transition in the field from the old law to the new.

SPECIAL CONCERNS

Of amounts available for the basic allocation, 2.25 percent is reserved for Indian and Native Hawaiian programs. Amendments to Section 103 of the Carl Perkins Vocational Education Act were drafted in accordance with recommendations made by the Senate Select Committee on Indian Affairs. The recommendations incorporate, as much as possible, the provision of S. 496, a bill sponsored by Senators Bingaman, Domenici, Inouye, Burdick, and Conrad, and which was the subject of a hearing before the Senate Select Committee on Indian Affairs on September 15, 1989.

The current allocation for Indian and Native Hawaiian programs is 1½ percent of the total appropriation under Title I. Under Section 101(a)(2) of S. 1109, the allocation for Indian and Native Hawaiian vocational education programs is increased from 1½ percent to 2 percent. It was agreed that a 2 percent allocation for Indian and Native Hawaiian programs is the minimum that should be available to operate programs at the tribal level. The additional one-half of 1 percent is vitally needed in Indian country and will be used primarily to fund programs in Indian-controlled postsecondary vocational education institutions.

Of the total amount allocated under Section 103, seven-twelfth's will be used to fund programs administered by Indian tribes or tribal organizations. Grants awarded under this section will be subject to the provision of the Indian Self-Determination and Education Assistance Act, as amended, and to applicable provisions of the Indian Reorganization Act of 1934.

One-twelfth of the allocation will be used to provide grants to secondary schools funded by the Bureau of Indian Affairs (BIA). The BIA funds 52 secondary schools, including those directly operated by the BIA and those operated by tribes under contracts with the BIA. While this is the first time that BIA-funded schools will be eligible for grants under this Act, the Committee strongly feels that students in BIA-funded schools should have access to the same quality of vocational and technical education programs where allocations are made for students in BIA schools. These programs include Chapter 1, the Drug-Free Schools Act, the Bilingual Education Act, the Indian Education Act and others.

A distribution of two-twelfth's of the allocated funds will be made to Indian postsecondary schools. These schools must be governed by a Board of which a majority of members are Indian and the schools must serve at least 100 students, a majority of whom are Indian. If any funds remain after distributions are made to qualified institutions, grants will be made to tribal colleges that are eligible for funds under the Tribally Controlled Community College Assistance Act of 1978.

The Secretary will distribute the final two-twelfth's of the allocated funds through contracts with Native Hawaiian organizations that provide vocational-technical training and education to Native Hawaiians. This amount represents one-sixth of the total Indian/Native Hawaiian allocation and is proportionally the same as current law under which Native Hawaiians receive one-sixth of the allocation one-fourth of 1 percent of the total appropriation to Hawaiians and (1¼ percent of the total appropriation to Hawaiians and 1¼ percent of the total to tribes and tribal organizations).

The legislation provides that one-quarter of one percent of the funds made available under the Act shall be reserved from vocational education and training programs in Guam, American Samoa, Palau, the Commonwealth of the Northern Marianas, the Federated States of Micronesia and the Republic of the Marshall Islands. The Committee is very aware of the pressing need to improve vocational education and training in these Pacific islands, and wants to make sure that these funds do not go into programs other than vocational education and training.

Funds are to be made available first in a grants from the Secretary of Education to the Council for the Advancement of Pacific Education, which is currently an affiliate of the Northwest Regional Educational Laboratory in Portland, Oregon. The Committee intends that the Council, in turn, is to make vocational education and training grants to the Pacific islands specified in the legislation. The grants are to be for teacher training and retraining, for curriculum development, and for programs and services that are consistent with the purposes and provisions of Title II of this Act.

In order to make sure that the vast majority of funds go to the Pacific islands for vocational education and training programs and services, the legislation provides that no more than 5 percent of the funds made available to the Council can be reserved by it for its own costs of program administration.

NATIONAL PROGRAMS

S. 1109 reserves 2.75 percent of the basic allocation for national programs. This includes demonstration programs and research activities.

Research

Of the amount reserved for national programs, S. 1109 requires that not less than $10 million be appropriated for research. This includes the National Assessment of Vocational Education as well as the National Centers for Research in Vocational Education.

Section 401 of S. 1109 calls for a new National Assessment of Vocational Education. The Committee found the previous Assessment of invaluable assistance in its deliberations on reauthorization. This, in large part, was due to the fact that the Assessment was of very high quality, and the Committee would like to stress that it expects the same calibre of excellence from this next assessment. The decision regarding where to house the Assessment within the Department of Education is left up to the discretion of the Secretary. However, the Committee has included the same language that was in the previous reauthorization which prohibits Assessment reports from being subject to any outside review of the party awarded the contract prior to transmittal of the reports to the Congress.

S. 1109 directs the National Assessment to focus on the changes in the roles of the State and localities in administering federal vocational education dollars; the effect on the participation of special populations and the quality of the services provided, the academic and employment outcomes of vocational education, the degree of coordination with other programs, and the quality of teachers and teacher training programs. The previous Assessment was required to transmit two interim reports to Congress, and it was agreed that this requirement created undue difficulties in meeting the final target date for completion of the Assessment. The Committee has therefore required that there be one interim report transmitted to Congress no later than January 1, 1994, and the final report on July 1, 1994. The Committee believes that this time frame will provide ample opportunity for the Assessment to be a strong factor in the next reauthorization.

National Centers on Vocational Education

The Committee has found the work of the Centers to be of high quality and of considerable value not only to the Committee but to teachers, administrators and others throughout the country who are concerned with promoting the excellence of vocational education. It is the intent of the Committee that the research provided in this area be of the highest quality possible, so that it might continue to have a strong impact on program quality and improvement.

The current contract for research has been awarded to the National Center for Research in Vocational Education located in Berkeley, California. This contract runs through December 31, 1992, and the Committee has specifically stated in statutory language that the provisions in S. 1109 for reauthorization of the National Center will not affect that current contract through its duration. Once the contract has been completed, the Secretary is direct-

ed to establish 3 or more vocational education research centers, and one of these shall be a research center on Native Americans. The research center on Native Americans is to consider the teaching and learning of Native American students from childhood through adulthood, with particular attention to factors that may limit the participation of Native Americans in postsecondary education programs.

DEMONSTRATION PROGRAMS

Of the 2.75 percent reserved for national programs, the bill provides that at least $16 million shall be alloted for Demonstration Programs. The Secretary is to allocate at least 5 percent of this amount for programs under Section 416 with respect to Materials Development in Telecommunications. In addition, the Secretary is to reserve at least 20 percent of this amount for programs under Section 419 with respect to Vocational Education Lighhouse Schools. The Secretary is authorized to distribute the remainder of the funds to demonstration projects for the integration of vocational and academic learning, business and industry partnerships, model programs of regional training for skilled trades, a blue ribbon schools recognition and awards program, professional development programs and educational programs in federal corrections institutions.

Demonstration projects for the integration of vocational and academic learning

As part of the demonstration provisions, the Committee has created a new program to establish pilot sites for innovative approaches coordinating vocational and academic learning. The importance of combining academic approaches with vocational approaches has been well documented throughout this report. Testimony from Dr. Charles Benson, Director of the National Center for Research in Vocational Education, recommended that federal support be provided for a number of distinctly different pilot approaches combining this instruction so that effective methodologies might be indentified for implementation and use nationwide.

Dr. Benson outlined the difficulty of providing effective curriculum integration:

> I see no way to enforce Congressional intentions in this area: within the total vocational education system, meaningful integration of academic and vocational education is too new and untested for Congress simply to impose a requirement and expect to see school districts carry it out. Where models do exist, too often we lack important systemic information about their development and documentation of their outcomes for different students. This information will be needed to assist change processes in other schools.

The Committee believes that this would be a highly cost-effective approach to encouraging innovation and improvement. Testing models before widespread implementation would serve to avoid the waste of employing ineffective approaches, and insure that activities conducted in this area are of the finest quality possible. In

order to further capitalize on the knowledge gleaned from this research in practice, the program requires that effective integrative strategies be made available to school districts across the country through the National Diffusion Network.

Business and industry partnerships

S. 1109 also authorizes the Secretary to make grants to business and industry partnerships. Partnerships must include a business and industry or apprenticeship program and an area vocational school, State agency, local educational agency or institution of higher education. Projects funded under this program are to be designed to address the economic development needs of the area, or provide training that will enable workers to retain or upgrade their jobs. Special priority is to be given to partnerships that provide job training in areas or skills where there are significant labor shortages.

Model programs of regional training for skilled trades

As has been noted previously, the Committee remains very concerned about the shortages of skilled craftsmen nationwide. The Committee has authorized as part of this Title a program to establish model regional centers which provide training in skilled trades. The Committee intends that these centers serve a wide geographic region of the country, providing technical assistance and training programs for different skills. the Committee expects that at least one demonstration project in one skilled area such as tooling, bricklaying or masonry, will be funded each year, and that each year a grant shall be awarded to establish a regional center in another specialized skill area.

The Committee recognizes the importance of apprenticeship programs in providing workers with marketable skills. Accordingly, the Committee encourages vocational education programs that facilitate apprenticeship training. A good example is Washburne Trade School, one of the few publicly-funded trade schools offering apprenticeship training. For more than eighty-eight years, the Chicago Board of Education has operated Washburne to help serve the craft training needs of the area in and around Chicago, Illinois, including parts of Indiana and Wisconsin. Washburne has successfully trained self-sufficient citizens capable of making productive contributions to our national economy. Washburne combines the joint efforts of the Board of Education, labor unions and the business community. Recently, the program has also been successful in targeting special populations who have suffered from traditional discrimination and been denied apprenticeship opportunities in the past.

Blue ribbon vocational education programs

Anyone who has walked into a vocational school is quickly escorted by students, teachers and administrators to the glass enclosed cabinets filled with trophies, commendations, certificates of excellence and other indicators of awards and accomplishments. The school works hard to win these awards, and the students are encouraged to excel in their programs as a result. Often, this sense of pride and competition is carried into the student vocational or-

ganizations such as Future Farmers of America (FFA), Vocational Industrial Clubs of America (VICA), and Distributive Education Clubs of America (DECA).

These students prove that the work ethic is not dead in America's high schools, and the Committee believes that the Perkins Act should provide fitting national recognition for a job well done. The bill therefore authorizes the Secretary to carry out programs to recognize secondary and postsecondary schools, or programs that have established standards of excellence in vocational education. Such programs shall be designated as "Blue Ribbon Vocational Programs".

Materials development in telecommunications

Five percent of amounts provided for demonstration programs shall be reserved for materials development in telecommunications. This would include grants to the Corporation for Public Broadcasting, National Public Radio and similar telecommunications programs for the development and dissemination of vocational education and training. The Committee believes that this small demonstration program will increase the access of thousands of students and adults to vocational instruction. In addition, it will develop powerful aides for in-class instruction that may have the effect of teaching applied instruction without actually requiring hands-on learning.

The Committee notes that teacher training programs and materials are an essential component of projects relating to telecommunications instruction. These programs need to provide proper training for the teacher/instructor or the impact of these programs on learning will be greatly diminished.

Professional development

The Committee believes that professional development is perhaps the most critical linchpin of any effort to upgrade the quality of instruction in vocational schools. Teachers need continual access to new business techniques and skill requirements in industries. They need to enhance their awareness of development within industries and new technologies. They need training in the integration of academic with vocational instruction and in other innovative methods of vocational education instruction.

Therefore, the Committee has authorized demonstration grants for professional development projects. Grants under this program may be made to institutions of higher education or State educational agencies to provide opportunities for teacher education and professional development. Such opportunities may be carried out through stipends and fellowships.

Educational programs for federal correctional institutions

Corrections education programs are provided through the State grant program for vocational education programs in State facilities. However, the Committee recognizes that there is a serious paucity of programs of this nature in federal correctional institutions. The Committee believes that assistance should be made available for programs for inmates in these federal institutions in an effort to break the continued high rate of recidivism. Thus, the Committee

authorizes the Secretary of Education to make grants for this purpose. Such grants may be used for basic education and literacy programs, vocational training, guidance and counseling and other critical support services.

Vocational education lighthouse schools

The need for real improvement in vocational education is incontrovertible. To accomplish this, local schools need substantial help in staff and curriculum development. The Lighthouse Schools initiative is designed to encourage excellent vocational education schools that offer high quality, state-of-the-art education and training to play a leadership role in improving vocational education programs throughout the state. These schools will be both a technical assistance center and a laboratory school.

The Vocational Education Lighthouse Schools will:

(1) Serve as a model vocational education program which:

(a) provides each student with the knowledge and experience in all aspects of the industry/enterprise the student is preparing to enter;

(b) provides each student with basic and higher order skills and develop problem solving abilities in the vocational setting;

(c) offers exceptionally high quality programs for disadvantaged and minority students;

(d) provides the special services and modifications necessary to help individual students successfully complete the program;

(e) is planned, developed and implemented with the participation of the staff, local employees and local community; and

(f) offers a full range of programs for students who plan to seek employment upon graduation or who will enroll in a two- or four-year college.

(2) Provide information and assistance to individuals and organizations throughout the state about:

(a) curriculum materials;

(b) curriculum development, especially the integration of vocational and academic education;

(c) inservice and preservice development, training and assistance; and

(d) other technical assistance and staff development as appropriate.

(3) Use federal grant funds, together with funds from non-federal sources to develop and implement model programs.

(4) Develop comprehensive linkages with other local schools, community colleges, four year colleges, private vocational schools, community organizations, labor unions, employers, and other business groups.

(5) Develop and disseminate model approaches for meeting the education and training needs of minority, disadvantaged, handicapped, and limited English proficient students and approaches to reduce and eliminate sex bias and stereotyping.

Local schools or areas vocational schools wishing to receive a Lighthouse grant apply directly to the Secretary of Education. Proposals must be developed with the assistance of the State Education Agency and the state must be a co-sponsor of the project. Proposals should be developed in consultation with: a postsecondary

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institution that trains vocational educators, a postsecondary institution that provides a large number of occupational education programs, community-based organizations, and employers.

The state government must agree to help establish and maintain the Lighthouse school. If a state government does not co-sponsor any program(s), the Secretary may, at his discretion, approve a grant to an individual school.

The primary factors to govern award of these grants will be: the overall excellence of the proposal, the quality of the school's vocational education programs, the extent to which special populations will be served by the school's programs, and the quality and extent of collaborative arrangements proposed by the school. Proposals shall be considered through a peer-review merit based competition. In reviewing proposals, the Secretary shall give priority consideration to programs that serve high concentrations of disadvantaged, handicapped or limited English proficient students.

Lighthouse schools should receive their basic funding from existing federal, state and local programs. The Lighthouse funds (and the required match) will cover the costs of the technical assistance, curricular initiatives, staff development, and dissemination costs. Federal funds for the Lighthouse activities must be matched by an equal amount of funds from non-federal sources. The Secretary may waive or reduce the matching requirement in the case of an applicant that applies without a state sponsor.

Each center should receive a minimum of $200,000 in federal funds to ensure that they receive sufficient funds to provide a wide range of additional services and opportunities. The Secretary shall take care to ensure that Lighthouse Schools are estalished in both urban and rural areas. In addition, the Secretary shall give careful considerations to the geographic dispersion of these schools when making awards.

Career guidance and counseling programs

This demonstration program basically crosswalks language from current law, Title III Part D with respect to guidance and counseling. The Committee believes that guidance and counseling is a strong component of vocational education delivery. However, under current law, appropriations have never been made for Part D of Title III. The Committee has therefore transferred this authorizing language to the national programs section of the Act so that it might be a part of national demonstration programs that could be pursued in accordance with the provisions of this legislation.

Data collection

The Committee recognizes that one of the major deficiencies in vocational education research and evaluation continues to be inadequate data. This lack of data was a serious impediment to the progress and work of both the National Assessment of Vocational Education and the GAO study on vocational education. To develop an accurate assessment on this nation's preparation in the area of education and training, and its relevance to the needs of business and industry, the need for a solid data base is even more pressing. In addition, this data is needed for purposes of developing performance assessments at the federal, State and local levels.

The Committee has transferred the collection of data on vocational education to the Secretary, with the clear intent that it be carried out under the administration of the National Center on Education Statistics. NCES has been a high quality arm of the Office of Educational Research and Improvement, and the Committee believes that assigning vocational education data collection. The Committee also requires NCES to collect data on the special populations served through the federal act, and to develop and assess the United States' vocational education skills and preparation in comparison with that of other industrial nations.

In developing the design for data collection, the bill requires the Secretary to establish a Task Force composed of members at the federal State, and local level, including business and industry, all of whom have a high stake in the quality of vocational education.

In addition, S. 1109 provides $6 million for the continuation of the National Occupational Information Coordinating Committee as well as its State counterparts. The Committee believes that this important data base provides invaluable information at both the national and state level by using occupational and labor-market information to design effective vocational education and employment training programs. In addition, it provides concrete information about occupational opportunities to help individuals with career decision-making.

Finally, S. 1109 provides $950,000 to continue the work of the Network for Curriculum in Vocational and Training Education. This Network is made up of six regional Curriculum Coordination Centers, and a network of State liaison Representatives. The Network provides educators with curriculum materials, and assists educators in the development of curriculum and instructional materials. The overall mission of the Network is to save resources by reducing duplication of effort in vocational and technical development activities among the states and territories. The program has been very successful, and teaches throughout the country have come to rely on the Network. The Department has funded the program with discretionary monies since 1971.

State councils

The bill preserves the State Councils at an authorization level of $10 Million with several significant changes. The Committee believes that these Councils ensure that education remains the focus of vocational education while also creating advocates for vocational education within the private sector. The kind of involvement represented by the members of the private sector on the State Council is critical to the vitality and strength of the vocational eduction program. As is noted in the Fortune magazine article by Nancy Perry on vocational education:

> American corporations have an important reason to help make vocational education better—self-interest. By working with local institutions on curriculum, by lobbying state education departments and local school boards for funding, by donating up-to-date equipment, by loaning employees to serve as teachers and mentors, companies can help guar-

antee themselves a better-trained more productive work force.

The Committee has included provisions which strengthen the State Council's ability to provide leadership, oversight and to direct change. These include a requirement that the Council assess every two years the extent to which vocational education, employment and training represent a consistent, integrated, and coordinated approach to meeting needs, and that it comment on the adequacy or inadequacy of the State action as put into practice. In addition, S. 1109 strengthens the language requiring consultation with the State board as the State board develops its plan. The bill prohibits members of the State board from serving on the Council, including employees of the State agency charged with the administration of the vocational program. This is designed to avoid a conflict of interest.

COMMUNITY-BASED ORGANIZATIONS

The Committee has continued the separate authorization for Part A of Title III with respect to programs operated by Community-Based Organizations. S. 1109 sets an initial authorization of $14 million to enable the same kind of increases in appropriations provided for this program over the past several years.

These important projects bring the full range of the expertise and resources of community-based organizations to bear upon area vocational schools and other vocational education providers. They reinforce the growing awareness that the vocational program is a responsibility of the whole community, and that service provided through a vocational education program should be comprehensive.

CONSUMER & HOMEMAKING PROGRAMS

S. 1109 continues the separate authorization for consumer and homemaking programs at an authorization level of $37 million. This will provide for an inflationary increase over the FY 1990 appropriation.

The Committee has included additional language to emphasize the important role that consumer and homemaking education plays in addressing the problems of family violence, child abuse, and teen pregnancy, and to promote individual and family health and child nutrition.

Certification requirements

The Committee has included language in S. 1109 that no State application be approved unless the State board has certified in its application that the State—and the local educational agencies within the State—will not discriminate in hiring practices, in the enrollment of students or in operating extracurricular activities, on the basis of race, religion, color, national origin, sex, or handicapping condition. The bill requires that these assurances provided by the State be reviewed by the Assistant Secretary for Civil Rights.

Office of Correctional Education

Title VI of S. 1109 creates an Office of Correctional Education within the Department of Education. This Office is designed to pro-

vide greater emphasis and attention within the Department of Education to corrections education. This Office is designed to provide the kind of leadership essential to upgrade efforts to provide inmates with the tools to develop marketable skills. The Office would coordinate all correctional education programs within the Department of Education, collect and disseminate information on correctional education programs within other federal agencies and departments, and provide technical support to State and local educational agencies on correctional education.

National Councils

It has been the practice of the Committee during the last several reauthorizations to terminate any National Councils. In the 1988 reauthorization, for example, the Committee did not reauthorize the National Councils for Adult Education, the Women's Educational Equity Act, or Bilingual Education. It is thus the case with the Carl D. Perkins Vocational Education Reauthorization of 1989. The Committee has not reauthorized the National Council on Vocational Education, and in addition, has repealed the Intergovernmental Advisory Council on Education and the Council on International Education. The Committee believes that the priority for use of federal funds must be that of direct services, and that the financial support for Councils should be placed instead in programs that serve needy populations.

Effective date

The Committee has directed that the date of enactment of the Carl D. Perkins Vocational Education Reauthorization of 1989 shall be July 1, 1991. The Committee believes that this will give States and localities a proper amount of time to develop plans to conform with changes made by the reauthorization legislation.

V. Regulatory Impact Statement

The Committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

VI. Cost Estimate

U.S. Congress,
Congressional Budget Office,
Washington, DC, November 15, 1989.

Hon. Edward M. Kennedy,
Chairman, Committee on Labor and Human Resources, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 1109, the Carl D. Perkins Vocational Education Act Amendments of 1989, as ordered reported by the Committee on Labor and Human Resources on November 1, 1989.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 1109.
2. Bill title: Carl D. Perkins Vocational Education Act Amendments of 1989.
3. Bill status: As ordered reported by the Senate Labor and Human Resources Committee, November 1, 1989.
4. Bill purpose: The primary purpose of this bill is to amend and extend the authorization for appropriations for the federal grant programs included in the Carl D. Perkins Vocational Education Act. The authorizations are extended from 1991 through 1995.
5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1990	1991	1992	1993	1994
Carl D. Perkins Vocational Education Act					
Estimated authorization levels:					
Basic grants		1,500	1,565	1,627	1,692
Grants to community-based organizations		14	15	15	16
Consumer and homemaker education		37	39	40	42
Supplementary grants		100	104	108	113
National assessment of vocational education		3	3		
State councils		10	10	11	11
Bilingual vocational education		4	4	4	5
Office of correctional education		(1)	(1)	(1)	(1)
Total estimated authorization		1,668	1,740	1,806	1,878
Total estimated outlays		200	1,341	1,698	1,800

[1] Less than $500,000.

The costs of this bill fall in Function 500.

Basis of estimate: The cost estimate of S. 1109, the Carl D. Perkins Vocational Education Amendments of 1989, reflects both the new and the extended authorization levels for the federal vocational education programs. The 1991 authorization levels for Basic Grants, Grants for Community-Based Organizations, Consumer and Homemaker Education, Supplementary Grants, and State Councils are those specified in the bill. These programs are authorized at such sums as may be necessary for 1992 through 1995. The estimate of the out-year authorizations reflect the 1991 stated level adjusted for projected inflation.

This bill authorizes the National Assessment of Vocational Education for 1991 and 1992 only at $3 million each year. In addition, S. 1109 establishes an Office of Correctional Education within the Department of Education. The functions of this office would be limited in scope to overseeing two programs. Based on information from the Department of Education, five or fewer additional employees would be required. The additional costs for this office would be less than $300,000 in 1991.

Estimated total outlays assume that the authorized levels are fully funded at the beginning of the fiscal year and reflect current program spending patterns. Vocational education programs are funded on a forward-funded basis. The 1991 funds are to be used for the 1991–1992 academic year, thus estimated outlays are relatively low in the first year.

6. Estimated cost to State and local governments: S. 1109, if fully appropriated in 1991, would almost double the 1989 funding level for the federal vocational education grants to state and local governments. Approximately $1.6 billion, or 95 percent, of all the vocational education funds authorized by this bill are grants to state and local governments. Federal funding in 1989 for these programs was $869 million. Increases would come in both basic grants and special programs.

Basic grants to states were funded at $819 million in 1989 for the 1989–1990 school year. S. 1109 authorizes these grants at $1,425 million in 1991, a 75 percent increase over the 1989 levels.

S. 1109 authorizes a total of $161 million in 1991 for state councils and special program grants including the new supplementary grants; 1989 funding for these programs totaled $50 million.

In addition to increasing federal funding, S. 1109 would generally eliminate current requirements that state and local governments contribute $1 for each $1 of federal funds. The bill, however, would require that states continue to match state administration costs on a $1 for $1 basis.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Deborah Kalcevic.

10. Estimate approved by: C.G. Nuckols, for James L. Blum, Assistant Director for Budget Analysis.

VII. Section-by-Section, S. 1109

TITLE I

Section 1—Provides the short title for the legislation.

Section 101—Amends Sec. 101 (P.L. 98–524) to reserve 2.75% of total appropriations for National Programs, 2% for Indian and Native Hawaiian Programs, and 0.25% for the Center for the Advancement of Pacific Education.

Section 102—Amends Sec. 102 (P.L. 98–524) to indicate the new formula for within-state allocations for State Programs and State administration; tech-prep programs; programs for adult, postsecondary and secondary vocational education; sex-equity programs and programs for single parents, homemakers and single women. This section also mandates states to match administration funds on a dollar-for-dollar basis from non-Federal sources. This section also provides for a three-year 80% hold-harmless for states in adjusting to the new allocation formula for secondary, postsecondary and adult vocational education programs.

Section 103—Amends Sec. 103 (P.L. 98–524) to authorize the Secretary to make grants to or contracts with eligible Indian tribes or tribal organizations. Reserves money for the Secretary to make grants of $50,000 or more to schools funded by the Bureau of Indian Affairs or the Department of the Interior for vocational edu-

cation programs for secondary students. This section also authorizes the Secretary to award grants for vocational-technical training to two or more eligible vocational-technical schools. Out of any remaining money, the Secretary is also authorized to make grants of $50,000 or more to postsecondary institutions eligible for assistance under the Tribally Controlled Community College Assistance Act of 1978.

This section also authorizes the Secretary to enter into contracts with organizations primarily serving and representing Native Hawaiians which are recognized by the Governor of Hawaii and which provide vocational-technical training for Native Hawaiians.

Section 104—Adds new Sec. 104 to P.L. 98-524 to authorize the Secretary to make a grant to the Council for the Advancement of Pacific Education to provide for grants to programs for the improvement of vocational education and training, teacher training and curriculum development in the Territories.

Section 105—Amends Sec. 111 (P.L. 98-524) to make technical and conforming changes; to ensure that the States meet the needs of men and women receiving training for nontraditional jobs; to verify local plans ensure that students with disabilities receive vocational education services required by their individual educational program; to ensure that local plans provide assurances of compliance with Sec. 504 of the Vocational Rehabilitation Act and the Education of the Handicapped Act regarding equal access to programs; to ensure that local plans have identified and assessed the number and needs of and have provided supplementary services to enrolled students with disabilities; and to provide for the Chapter 1 coordinator to reveiw local plans ensuring that the number and needs of disadvantaged students are identified and met.

Section 106—Amends Sec. 112 (P.L. 98-524) to broaden limitations concerning the membership of the State Councils on vocational education, increase the duties of the State Councils, generally strengthen the role of the State Councils and to increase the allotment to each State Council to range of $150,000-$250,000.

Section 107—Amends Sec. 113 (P.L. 98-524) to mandate a state assessment in developing the state plan, and sets forth required procedures in creating the plan and the required contents of the plan.

Section 108—Amends Sec. 114(a)(1) (P.L. 98-524) to require the State Board to develop the portion of the state plan referring to the use of funds proposed to be reserved for adult, postsecondary and secondary vocational education programs and tech-prep programs after consulting with state agencies responsible for community colleges and secondary education. This section also allows that any objections raised by these state agencies shall be included in the state plan for the Secretary to review.

Section 109—Amends Sec. 115 (P.L. 98-524) to specify requirements concerning the state assessment and criteria by which vocational education program quality should be measured. This section also lists criteria the state boards are mandated to use in assessing program improvement.

TITLE II

Part A

Section 201—Amends Title II of P.L. 98-524 by adding new sections:

Section 201—Lists the state programs and state leadership activities and priorities the states should address in conducting these programs. This section also requires states to match money for this purpose with funds from non-Federal sources.

Section 202—Provides duties of the state concerning sex-equity programs.

Part B

Section 211—Authorizes the state agency to make competitive grants for tech-prep programs, and lists eligible recipients of assistance under this part.

Section 212—Lists required activities and contents of each funded tech-prep program, and lists additional authorized activities the program may contain.

Section 213—Sets forth requirements in regard to the submission and approval of tech-prep applications for funding and permits the Secretary to give special consideration to applicants whose applications provide for effective job placement or transfer of students to four-year degree programs and are developed in consultation with business, industry and labor unions.

Section 214—Provides definitions of key terms for this part of the legislation.

Part C

Section 221—Specifies that the state board allocation to each LEA or correctional institution should be proportionate to the amount received under the Chapter 1 program. This section also clarifies that the age of children in correctional institutions to be counted include those between ages 9-35. This section also requires that corrections LEAs will receive no more than 5% of the total amount of money received by the state for secondary programs. This section also provides that the minimum grant shall be $25,000, and that LEAs can form consortia to become eligible for assistance. This section also prohibits LEAs serving solely elementary students from being eligible to receive assistance.

Section 222—Provides states with a 10% reserve from total money for secondary programs to distribute to LEAs, area vocational schools or intermediate educational agencies which experience particular hardships. This section mandates that states who use this option must match this money from non-Federal sources.

Section 223—Clarifies that each recipient of assistance use these funds to provide services to meet the needs of five specific populations: (1) economically disadvantaged, (2) individuals with disabilities, (3) participants in programs to eliminate sex bias, (4) Limited-English proficient students, and (5) juvenile and adult criminal offenders in correctional institutions.

Section 224—Lists requirements regarding programs for economically disadvantaged students.

Section 225—Lists requirements regarding programs for students with disabilities.

Section 226—Lists requirements regarding programs for students with limited-English proficiency.

Section 227—Lists requirements regarding programs to eliminate sex bias.

Section 228—Lists requirements regarding programs for criminal offenders.

Section 229—Lists required and encouraged uses of funds under this subpart, and limits reserve for administration to 5%.

Section 230—Lists requirements concerning the submission and contents of the evaluation by each local recipient. This section also requires that each local recipient must evaluate annually the progress being made and, if no progress is made, develop a plan for program improvement.

Section 231—Sets forth requirements regarding the submission and contents of the program improvement plan. This section also provides that if after one year of implementation of such plan there is no sufficient progress, the state shall develop with the local recipient a plan for program improvement. This section also lists requirements concerning the contents of this plan.

Section 240—Authorizes state boards to make competitive or formula-based grants for postsecondary and adult vocational education programs, lists eligible recipients of assistance, and lists priorities the state agency consider in awarding grants.

Section 241—Lists authorized activities grant recipients may perform; lists as activities eligible for assistance: apprenticeship training programs; teacher preparation and mentor programs; and consortia between private vocational-technical institutions, private postsecondary institutions and employers to provide educational services.

Section 242—Provide for programs for single parents, displaced homemakers and single pregnant women; lists requirements concerning required services, administration of programs and authorized uses of funds.

Section 250—Lists requirements concerning state performance evaluation criteria development. This section also requires state boards to make every effort to be consistent with local evaluations. This section also provides that if after two years the state board determines the local recipient is not making progress, the state boards are required to work with the local recipient by providing program and technical assistance.

Section 251—Requires that funds received for assistance under this part shall supplement and not supplant Federal funds otherwise used for this purpose. This section also requires that states shall not consider amounts received under this Act in determining eligibility for or amounts of state aid with respect to public education within the state. This section also lists authorized uses of funds for this part, and permits the Secretary to waive (in Fiscal Years 1991-93) requirements with respect to the supplement/not supplant provision and with respect to the rule regarding state determination of educational aid for those states who expended over 75% of available funds to postsecondary education in FY 1989.

TITLE III

Section 301—Amends Sec. 302(b) of P.L. 98-524 to include model programs for school dropouts as an authorized use of funds; amends Sec. 311 of P.L. 98-524 to include individual and family health as an eligible activity in Consumer and Homemaking Education programs;; amends Sec. 312 of P.L. 98-524 to clarify uses of funds for this part; amends Sec. 313 of P.L. 98-524 to add an additional use of funds under this part regarding information dissemination and leadership. This section also deletes Parts C, D, and E of Title III of P.L. 98-524.

Section 302—Amends Title III of P.L. 98-524 to add a new Part F which creates a separate authorization of $100 Million for a program of supplementary grants to be awarded to highly impoverished areas.

TITLE IV

Section 401—Amends Sec. 403 of P.L. 98-524 to require the Secretary to appoint an independent panel to advise the Secretary concerning the implementation of the National Assessment on Vocational Education. Thsi section also lists required assessment criteria.

Section 402—Amends Sec. 404 to authorize the Office of Educational Research and Improvement to contract for the establishment and operation of three or more vocational education research centers. This section also requires that one of the centers concentrate on Native Americans, and lists priorities for the Secretary to consider in making an award, and requires the Secretary to honor the current grant award through December 31, 1992.

Section 403—Adds to the end of Part A, Title IV a new provision calling for a study on the Carl D. Perkins Vocational Education Act formula.

Section 405—Lists requirements concerning the grant or contract procedures, and the contents and findings of the study. This section requires that the study be completed by January 1, 1994.

Section 404—Amends Part B, Title IV and creates new sections in regard to Demonstration Programs.

Section 411—Requires the Secretary to reserve from the total amount of money allotted to Demonstration Programs: 10% for grants to non-profit educational telecommunications entities and 25% for grants to vocational education lighthouse schools.

Section 412—Authorizes the Secretary to make grants to state boards of education, non-profit organizations or educational institutions or consortia thereof to develop and operate programs integrating vocational education and academic learning. This section also lists criteria for selection to be used by the Secretary.

Section 413—Authorizes the Secretary to make grants for business and industry parternships, lists eligible recipients for assistance, and provides a list of authorized activities.

Section 414—Authorizes the Secretary to make grants to regional model centers providing training for skilled trades and technical assistance for programs which train such individuals in a region serving several states.

Section 415—Authorizes a Blue Ribbon Schools Program. The Secretary shall disseminate information and exemplary materials regarding effective vocational education and to carry out programs to recognize secondary and postsecondary schools or programs of high quality.

Section 416—Authorizes the Secretary to make grants to nonprofit educational telecommunications entities toward the cost of development, production and distribution of instructional materials and services for use in local vocational and technical education schools and colleges.

Section 417—Authorizes the Secretary to make grants to institutions of higher education or state educational agencies for opportunities for teacher education and professional development.

Section 418—Authorizes the Secretary to make grants to Federal correctional institutions in consortia with educational institutions, community-based organizations or the private sector to provide education and training to criminal offenders in institutions.

Section 419—Authorizes the Secretary to make grants to local schools to establish and operate vocational educational lighthouse schools. This section also lists required activities of these schools.

Section 420—Authorizes the Secretary to make grants to state boards for programs improving or expanding career guidance and counseling programs, and lists authorized activities of grant awardees.

Section 405—Amends Sec. 421 of P.L. 98–524 to put forth new requirements regarding the implementation, coordination and information contained in the vocational education and occupational information data systems.

Section 406—Amends Sec. 422 of P.L. 98–524 to include the Assistant Secretary for Postsecondary Education as a member of the NOICC technical steering committee, encourage SOICCs to include postsecondary representation, and to continue training and technical assistance to support comprehensive career guidance and applied technology counseling programs. This section also creates a new Longitudinal Occupational Information Demonstration Program and lists authorized activities of and the requirements concerning the functions and evaluations regarding this program.

Section 407—Adds new section 424 to Part C, Title IV.

Section 424—Requires the Secretary to establish through grant or contract a National Network for Curriculum Coordination in vocational and technical education, consisting of six centers, and lists the purposes of the Network.

Section 408—Repeals Part D, Title IV.

Section 409—Amends Sec. 451 fo P.L. 98–524 to replace percentages for authorizations for Research under Title IV to a dollar amount of $10 Million, for demonstration programs under Title IV to a dollar amount of $16 Million, for the Data Systems under Title IV to a dollar amount of $1 Million. This section also authorizes $500,000 for the study on the vocational education formula. This section also increases the authorization of the Occupational Information System to $6 Million and reserves $950,000 for the National Network on Curriculum Coordination.

TITLE V

Section 501—Amends Sec. 502 of P.L. 98-524 to list assurances which state boards must make as part of the state plan to prohibit discrimination against employees, reflected in courses, and in designing extracurricular activities in order to receive funding.

Section 502—Amends Part A, Title V to add a new section 507.

Section 507—Requires the Secretary to hold regional meetings to obtain public involvement in vocational education programs, and specifies procedures concerning such meetings.

Section 503—Amends Sec. 521 of P.L. 98-524 to clarify and add definitions of key terms in this Act.

TITLE VI

Section 601—Provides the short title of this title of the legislation.

Section 692—Amends Title II of the Department of Education Organization Act to include the findings of the Congress, purpose, establishment and functions of the Office of Correctional Education in the U.S. Department of Education. This section also provides definitions of key terms for the purpose of this title.

TITLE VII

Section 701—Amends Sec. 3 of P.L. 98-524 to indicate authorization of appropriations for all titles of the legislation.

TITLE VIII

Section 801—Amends the Table of Contents of P.L. 98-524.

Section 802—Amends the Table of Contents of the Department of Education Organization Act and repeals section 213 of this Act.

Section 803—Repeals Sec. 621 of the Higher Education Act of 1965.

TITLE IX

Section 901—Indicates the effective date of the legislation.

VIII. ADDITIONAL VIEWS BY MR. DURENBERGER

Vocational education, perhaps more than any other educational program, offers students an educational experience tailored to meet their needs and interests and society's needs and interests while providing the special learning environments they need to reach their particular vocational goals.

Thus, I commend Senators Pell and Kassebaum for the work they have done in putting together legislation that makes significant changes to the Perkins Act that will improve vocational education by fostering local control, increasing accountability, and improving the quality of services for special populations.

However, I have serious concerns about the proposal within this legislation that eliminates current state discretion to determine the mix of funds between postsecondary and secondary programs and replaces it with a requirement to spend 65 to 75 percent of their program funds for elementary and secondary programs and 25%–30% for postsecondary and adult programs. I feel that this change severely threatens the integrity of an otherwise sound proposal by weakening states ability to meet the vocational needs of their students.

This provision seriously undermines states discretion over how to administer their vocational program. My own State of Minnesota has been actively involved in experimenting in educational reform and is an acknowledged leader in the nation in this area. Much of the national focus Minnesota has received has been on it's open enrollment program, but the changes in Minnesota go far beyond this single program. Vocational education is a vital part of Minnesota's reform effort, and the State recently adopted a state-funded program aimed at restructuring secondary vocational education.

As part of its efforts of overall reform, Minnesota recently began a program that allows 11th and 12th grade students to attend colleges, universities, and vocational schools at the State's expense. About 6,000 students are now participating in this postsecondary options program. And perhaps, a dozen of school districts have started to expanded new programs for students who might otherwise have left school to attend a postsecondary institution. Another option in Minnesota is to attend school in a non-traditional setting. Approximately 6,000 Minnesota students are attending school in these "area learning centers." I bring these state initiatives to the attention of my colleagues because, it seems unclear to me the message we are sending to states who are experimenting with these innovative programs. Do we support states efforts to initiate new programs of reform to reach targeted populations or do we set our own priorities for states and tell them they must comply with those priorities in order to get any federal support. How will states that are experimenting with these programs fit into this new system? Will they disqualify themselves by using non-traditional schools or by

allowing a secondary student take postsecondary vocational education classes? These are questions that we must ask ourselves prior to creating such a split in program funds.

I also question the fact that while we are removing the categorical set-aside requirements that almost everyone agreed were problematic because of the requirements placed on the state to reach targeted populations, we are replacing them with a new requirement to reach a different population. The categorical set-asides were removed because states needed flexibility to meet individual needs in serving these populations. So too, do states need flexibility in meeting the needs of students at the secondary and postsecondary level.

At no time has this been more true than today. Through recent legislation, we have placed a increased demand on the adult and postsecondary system. This is especially true for the vocational educational system. The new JOBS program, the proposed amendments to the JTPA program, and the recent efforts in curbing adult illiteracy all call for a strong infrastructure of postsecondary training and education. Many of these programs have not yet gotten under way, but as they do states will need the flexibility within their vocational education program to meet the increased demand. Yet the funds for these programs are capped at 35 percent of a states program funds.

The simple fact is, is that states have different needs, and the federal government should not be dictating its own priorities—however meritorious they are—on the states. Minnesota spends 91 percent of its Perkins funds at the postsecondary level. This was a conscious decision made in cooperation with the State Legislature. At that time, state funds were reduced for postsecondary education and placed in the secondary vocational formulas and federal funds were reduced from the secondary system and added to the post secondary system. This decision recognized that in a state that leads the nation in the percent of students who graduate from high school and who pursue post secondary education, federal funds could be used more effectively at the postsecondary level.

However, this legislation says that every state that currently does not fall into the range of spending between 25 to 35 percent for postsecondary and 65 to 75 percent for secondary will be asked to restructure their programs. It is not only the states like Minnesota, New Mexico, and Iowa that spend more than 35 percent of their federal money on postsecondary, but it is also those states like Connecticut, Indiana, and Alabama that spend more than 75 percent of their money at the secondary level. This means all but twelve states will be required to make adjustments in their programs to meet the new federal requirements in this legislation. I hope that before we see final action on this bill, that we will take a long look at what it is we are doing by establishing these new mandates.

DAVE DURENBERGER.

IX. Changes in Existing Law

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PART I—VOCATIONAL EDUCATION

Carl D. Perkins Vocational Education Act

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SECTION 1. * * *

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AUTHORIZATION OF APPROPRIATIONS

[SEC. 3. (a) There are authorized to be appropriated $835,300,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out the provisions of titles I (other than section 112), II, and IV (other than part E) of this Act.

[(b)(1) There are authorized to be appropriated $15,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part A of title III, relating to State assistance for vocational education support programs by community-based organizations.

[(2) There are authorized to be appropriated $32,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part B of title III relating to consumer and homemaking education.

[(3)(A)(i) There are authorized to be appropriated $35,000 for the fiscal year 1985, such sums as may be necessary for each of the fiscal years 1986 and 1987, and $25,000,000 for each of the fiscal years 1988 and 1989 to carry out subpart 1 of part C of title III, relating to the basic program for adult training, retaining, and employment development.

[(ii) There are authorized to be appropriated $25,000,000 for each of the fiscal years 1988 and 1989 to carry out subpart 2 of such part, relating to the special program for adult training, retraining, and employment development.

[(B) Of the amount appropriated in each fiscal year pursuant to subparagraph (A)(i) 50 percent shall be available in each fiscal year for the purpose described in section 201(b)(4), except that the amount made available by this subparagraph for fiscal years 1986 through 1989 shall not exceed $30,000,000 in any fiscal year.

[(4) There are authorized to be appropriated $1,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part D of title III, relating to career guidance and counseling.

[(5)(A) There are authorized to be appropriated $20,000,000 for the fiscal year 1985 and such sums as may be necessary for fiscal years 1986 through 1989 to carry out part E of title III, relating to industry-education partnerships for training in high-technology occupations.

[(B) There are authorized to be appropriated an additional $10,000,000 for each of the fiscal years 1988 and 1989 to carry out part E of title III, for workers described in section 343(d).

[(c) There are authorized to be appropriated $8,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 for section 112 of title I, relating to State councils on vocational education.

[(d) There are authorized to be appropriated $3,700,000 for the fiscal year 1985 and such sums as may be necessary for the fiscal years 1986 through 1989 to carry out part E of title IV, relating to bilingual vocational training programs.

[(e) From the funds appropriated pursuant to subsection (a) for each fiscal year, 2 percent shall be available to carry out the provisions of title IV (other than part E), relating to national programs.]

SEC. 3. (a) There are authorized to be appropriated $1,500,000,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out the provisions of titles I, II, III and IV of this Act.

(b)(1) There are authorized to be appropriated $14,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out part A of title III, relating to State assistance for vocational education support programs by community-based organizations.

(2) There are authorized to be appropriated $37,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal year 1992, 1993, 1994, and 1995 to carry out part B of title III, relating to consumer and homemaking education.

(c) There are authorized to be appropriated $10,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 for section 112 of title I, relating to State councils on vocational education.

(d) There are authorized to be appropriated $4,000,000 for the fiscal year 1991 and such sums as may be necessary for the fiscal years 1992, 1993, 1994, and 1995 to carry out part E of title IV, relating to bilingual vocational training programs.

(e) From the funds appropriated pursuant to subsection (a) for each fiscal year, 2.75 percent shall be available to carry out the provisions of title IV (other than part D), relating to national programs.

TITLE I—VOCATIONAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

ALLOTMENT

SEC. 101. (a)(1) From the sums appropriated pursuant to section 3(a), the Secretary shall reserve—

(A) [2] *2,.75* Percent for the activities described in title IV (other than [part E] *part D*); and

[(B) 1½ percent for the purpose of carrying out section 103 of which (i) 1¼ percent shall be for the purposes of section 103(b) and (ii) ¼ percent shall be for the purposes of section 103(c).]

(B) 2 percent for the purpose of carrying out section 103; and

(C) .25 percent for the purpose of carrying out section 104.

* * * * * * *

(C) In the case of the Virgin Islands[, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands,] the minimum allotment for all programs under the Act shall be $200,000.

* * * * * * *

(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico[, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands] *and the Virgin Islands),* except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40 and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands shsll be 0.60.

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WITHIN STATE ALLOCATION

[SEC. 102. (a)(1) Each State shall reserve from its allotment of funds appropriated under section 3(a) for each fisal year an amount that does not exceed 7 percent of the allotment for State administration of the State plan. If the cost of carrying out the provisions of section 111(b) exceeds 1 percent of a State's allotment of funds appropriated under section 3(a), the State may reserve that excess amount from that allotment in addition to the 7 percent authorized by the preceding sentence.

[(2) The amount reserved under paragraph (1) shall be considered as part of that portion of the State's allotment that is retained for State activities and is not distributed under section 113(b)(4).

[(b) From the remainder of its allotment of funds appropriated under section 3(a), each State shall reserve for each fiscal year—

[(1) 57 percent for activities described in part A of title II; and

[(2) 43 percent for activities described in part B of title II.]

SEC. 102. (a) Each State shall reserve from its allotment of funds appropriated under section 3(a) for each fiscal year an amount that does not exceed—

(1) 20 percent for State programs and State administration of which—

(A) 75 percent of such 20 percent shall be available for State programs and State leadership; and

(B) 25 percent of such 20 percent shall be available for State administration;

(2) 5 percent for technical preparation education under part B of title II; and

(3) 75 percent for basic programs under part C of title II of which—

(A) 65 to 75 percent of such 75 percent shall be available for subpart 1 of part C of title II; and

(B) 25 to 35 percent of such 75 percent shall be available for subpart 2 of part C of title II.

(b) SPECIAL RULES.—(1) From the amount reserved pursuant to subsections (a)(1)(A) and (a)(1)(B) each State shall reserve 20 percent for sex equity programs in accordance with section 202.

(2) From the amount reserved pursuant to subsection (a)(3)(B) each State shall reserve for single parents, homemakers, and single women programs in accordance with section 242 an amount which equals or exceeds 9 percent of the total amount reserved pursuant to subsection (a)(3) for subparts 1 and 2 part C of title II.

[INDIAN AND HAWAIIAN NATIVES PROGRAMS

[SEC. 103. (a)(1) For the purpose of this section—

[(A) the term "Act of April 16, 1934" means the Act entitled "An Act authorizing the Secretary of the Interior to arrange with States or territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", enacted April 16, 1934 (48 Stat. 596; 25 U.S.C. 452–457); and

[(B) the term "Hawaiian native" means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

[(2) From the funds reserved pursuant to section 101(a)(1)(B), the Secretary shall enter into contracts for Indian and Hawaiian native programs in accordance with the provisions of this section.

[(b)(1) From the funds reserved pursuant to section 101(a)(1)(B)(i), the Secretary is directed, upon the request of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934, to enter into grants or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the purposes of this Act, except that such grants or contracts shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence. From any remain-

ing funds reserved pursuant to section 101(a)(1)(B) and available for this subsection, the Secretary is authorized to enter into an agreement with the Assistant Secretary of the Interior for Indian Affairs for the operation of vocational education programs authorized by this Act in institutions serving Indians eligible to receive educational benefits as Indians from the Bureau of Indian Affairs, and the Secretary of the Interior is authorized to receive the funds for the purposes described in this paragraph.

[(2) The Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend no less than the amount expended during the prior fiscal year on vocational education programs, services, and activities administered either directly by, or under contract with, the Bureau of Indian Affairs. The Secretary and the Assistant Secretary of the Interior for Indian Affairs shall jointly prepare a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of these funds and the evaluation of the programs, the Secretary shall assume responsibility for the administration of the program, with the assistance and consultation of the Bureau of Indian Affairs.

[(3) Programs funded under this subsection shall be in addition to such other programs, services, and activities as are made available to eligible Indians under other provisions of this Act.

[(4) For the purposes of this Act, the Bureau of Indian Affairs shall be deemed to be a State board; and all the provisions of this Act shall be applicable to the Bureau as if it were a State board.

[(c) From the funds reserved pursuant to section 101(a)(1)(B)(ii), the Secretary is directed, to enter into contracts with organizations primarily serving and representing Hawaiian natives which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Hawaiian natives.]

INDIAN AND NATIVE HAWAIIAN PROGRAMS

SEC. 103. (a)(1)(A) From $^{7}/_{12}$ of the amount of funds reserved under section 101(a)(1)(B), the Secretary shall award grants to, or enter into contract with—

(i) Indian tribes that are eligible to receive a grant from, or to enter into a contract with, the Secretary of the Interior under—

(I) the Indian Self-Determination and Education Assistance Act, or

(II) the Act of April 16, 1934 (48 Stat. 596, chapter 147; 25 U.S.C. 452, et seq.), and

(ii) tribal organizations of such Indian tribes,

to plan, conduct, and administer programs, or portions of programs, that provide vocational-technical training and related activities.

(B) Grants awarded, and contracts entered into, under subparagraph (A) shall—

(i) be subject to the terms and conditions of section 102 of the Indian Self-Determination and Education Assistance Act, and

(ii) be conducted in accordance with those provisions of sections 4, 5, and 6 of the Act of April 16, 1934 (48 Stat. 596, chapter 147; 25 U.S.C. 455, 456, 457) that are relevant to the programs for which the grant or contract is provided.

(2)(A) From 1/12 of the funds reserved under section 101(a)(1)(B), the Secretary shall award grants to schools funded by the Bureau of Indian Affairs of the Department of the Interior for the purpose of providing vocational education programs for secondary students attending those schools.

(B) Each grant awarded under subparagraph (A) shall equal or exceed $50,000.

(C) The Secretary of the Interior is authorized to accept and use any grant awarded under subparagraph (A) for the purposes for which the grant is awarded.

(D) The Secretary is authorized to enter into an agreement with the Secretary of the Interior for the operation of vocational education programs authorized by this Act in institutions serving Indians who are eligible to receive educational benefits as Indians from the Bureau of Indian Affairs because of their status as Indians.

(3)(A) From 2/12 of the funds reserved under section 101(a)(1)(B), the Secretary shall award grants for vocational-technical training, and related activities, to two or more schools of vocational-technical education, each of which—

(i) is governed by a board of directors or trustees, a majority of whom are Indians,

(ii) has been in operation for 5 or more years,

(iii) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians, and

(iv) is accredited, or a candidate for accreditation, by a nationally recognized accrediting agency for postsecondary vocational edcuation institutions.

(B) If any portion of the funds that are authorized to be used to provide grants under subparagraph (A) for any fiscal year remains after all schools eligible for the grant that submitted acceptable applications for the grant have been awarded a grant under subparagraph (A) for the fiscal year, the Secretary may use the remaining funds—

(i) to award grants under subparagraph (A) to institutions of higher education that are eligible for assistance under the Tribally Controlled Community College Assistance Act of 1978, and

(ii) if funds remain after all grants authorized under clause (i) have been awarded to eligible institutions that submitted acceptable applications for the grant, to fund grants and contracts provided under paragraph (1).

(C) Each grant awarded under subparagraph (B)(i) shall equal or exceed $50,000.

(D) The Secretary shall, subject to the availability of appropriations, provide for each program year to each school of vocational-technical education having an application approved by the Secretary under subparagraph (A), an amount necessary to pay expenses associated with—

(i) the maintenance and operation of the program, including development costs, costs of basic and special instruction (including special programs for individuals with handicaps and academic instruction), materials, student costs, administrative expenses, boarding costs, transportation, student services, day care and family support programs for students and their families (including contribution to the costs of education for dependents);

(ii) capital expenditures, including operations and maintenance and minor improvements and repair, physical plant maintenance costs; and

(iii) costs associated with repair, upkeep, replacement, and upgrading of the instructional equipment.

(4) For purposes of this Act, the Bureau of Indian Affairs of the Department of the Interior shall be considered to be a State board.

(5) Programs funded under this subsection shall be in addition to such other programs, services, and activities as are made available to eligible Indians under other provisions of this Act.

((b)(1) From $^{2}/_{12}$ of the funds reserved under section 101(a)(1)(B), the Secretary shall enter into contracts with organizations primarily serving and representing Native Hawaiians which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions of programs, that provide vocational-technical training, and related activities, for the benefit of Native Hawaiians.

(2) For purposes of this section, the term 'Native Hawaiians' means any individual hwo has any ancestors that were natives, prior to 1778, of the area which now constitutes the State of Hawaii.

(c) Grants awarded, and contracts entered into, under this section shall be subject to such terms and conditions as the Secretary may prescribe relating to satisfactory performance of the grant or contract.

(d) Nothing in this section shall be interpreted as affecting or limiting the ability, or eligibility, of any person or agency to which this section applies to apply for, or receive assistance from, any other source, including assistance provided by the Federal government under any provision of law other than this title.

THE TERRITORIES

SEC. 104. (a) IN GENERAL.—From funds reserved pursuant to section 101(a)(2)(C), the Secretary shall make a grant to the Center for the Advancement of Pacific Education, Honolulu, Hawaii, or its successor entity or entities to make vocational education and training grants in Guam, American Samoa, Palau, the Commomwealth of the Northern Marianas, the Federated States of Micronesia, and the Republic of the Marshall Islands, or cooperative efforts involving two or more of these entities for the purpose of—

(1) teacher training and retraining;

(2) curriculum development;

(3) improving vocational education and training programs in secondary schools, institution of higher education, or cooperative programs involving both secondary schools and institutions of higher education.

(b) LIMITATION.—The Center for the Advancement of Pacific Education may use no more than 5 percent of the funds received pursuant to subsection (a) for administrative costs.

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PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

STATE ADMINISTRATION

SEC. 111. (a)(1) * * *

* * * * * * *

(A) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this Act pursuant to section [113(b)(9)] *113(b)(14)*; and

* * * * * * *

(C) consultation with the State council established pursuant to section 112, and other appropriate agencies, groups, and individuals, *including business and industry* involved in the planning, administration, evaluation, and coordination of programs funded under this Act;

(b)(1) * * *

* * * * * * *

(A) * * *

* * * * * * *

(C) reviewing and commenting upon the plans of local educational agencies to ensure that the needs of women and men for training in nontraditional jobs are met;

[(C)] *(D)* reviewing vocational education programs (including career guidance and counseling) for sex stereotyping and sex bias, with particular attention to practices which tend to inhibit the entry of women in high technology occupations, and submitting (i) recommendations for inclusion in the State plan of programs and policies to overcome sex bias and sex stereotyping in such programs, and (ii) an assessment of the State's progress in meeting the purposes of this Act with regard to overcoming sex discrimination and sex stereotyping;

[(D)] *(E)* reviewing proposed actions on grants, contracts, and the policies of the State board to ensure that the needs of women are addressed in the administration of this Act;

[(E)] *(F)* developing recommendations for programs of information and outreach to women concerning vocational education and employment opportunities for women (including opportunities for careers as technicians and skilled workers in technical fields and new and emerging occupational fields);

[(F)] *(G)* providing technical assistance and advice to local education agencies, postsecondary institutions, and other interested parties in the State, in expanding vocational opportunities for women; and

[(G)] *(H)* assisting administrators, instructors, and counselors in implementing programs and activities to increase access for women (including displaced homemakers and single heads

of households) to voctional education and to increase male and female students' enrollment in nontraditional programs.

* * * * * * *

(3) Each State shall *from funds allocated under section 102(a)(1)(B)* expend not less than $60,000 in each fiscal year to carry out the provisions of this subsection.

(c)(1) Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State office responsible for administering part B of the Education of the Handicapped Act to—

(A) review all plans of local eligible recipients to ensure that students with disabilities are receiving vocational educational services required by their individual educational program pursuant to Public Law 94-142;

(B) ensure that the plans of the local educational agency, area vocational school, or intermediate educational agency provide assurances of compliance with the provisions of section 504 of the Vocational Rehabilitation Act and the Education of Handicapped Act regarding equal access to programs;

(C) review all plans of local eligible recipients to ensure that local educational agencies, area vocational schools or intermediate educational units have—

(i) identified the number of students with disabilities enrolled in vocational programs operated by the local recipient,

(ii) assessed the vocational needs of the students identified pursuant to paragraph (i), and

(iii) developed an adequate plan to provide supplementary services sufficient to meet the needs of such students; and

(D) evaluate the plans of all local eligible recipients with respect to the appropriateness of the program and the quality of the program.

(2) For purposes of this subsection, the term "State" means any one of the 50 States and the District of Columbia.

(d) Any State desiring to participate in the programs authorized by this Act shall assign the chapter 1 coordinator to review the plans of the local recipients to ensure that the number of economically disadvantaged students have been identified, and that the needs of such students are being met as outlined by such plans.

(e) Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State agency responsible for administering programs for students with limited English proficiency to review the plans of the local educational agency, area vocational schools, or intermediate educational agencies to ensure that the number of students with limited English proficiency have been identified and that the needs of such students are being met as outlined by such plans.

[(c)**]** *(f)* The State board shall make available to each private industry council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act.

[(d)] *(g)* Each State board, in consultation with the State council, shall establish a limited number of technical committees to advise the council and the board on the development of model curricula to address State labor market needs. Technical committees shall develop an inventory of skills that may be used by the State board to define state-of-the-art model curricula. Such inventory will provide the type and level of knowledge and skills needed for entry, retention, and advancement in occupational areas taught in the State. The State board shall establish procedures for membership, operation, and duration of such committees consistent with the purposes of this Act. The membership shall be representatives of (1) employers from any relevant industry or occupation for which the committee is established; (2) trade or professional organizations representing any relevant occupations; and (3) organized labor, where appropriate.

[(e)] *(h)* The imposition of any State rule or policy relating to the administration and operation of programs funded by this Act (including any rule or policy based on State interpretation of any Federal law, regulation, or guideline) shall be identified as a State imposed requirement.

STATE COUNCIL ON VOCATIONAL EDUCATION

SEC. 112. (a) * * *

* * * * * * * *

(A) five of whom shall be representative of business, industry, *trade organizations,* and agriculture including—

* * * * * * * *

(2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education. *In addition, the State Council may include members of vocational student organizations and school board members.*

(3) SPECIAL RULE.—No member of the State board shall serve on State Council.

* * * * * * * *

(2) [advise] *make recommendations to* the State board and make reports to the Governor, the business community, and general public of the State, concerning—

(A) the State plan;

[(A)] *(B)* policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and

[(B)] *(C)* initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

* * * * * * *

(8) report to the State board on the extent to which the individuals described in section [201(b)] *223* are provided with equal access to quality vocational education programs; and

[(9)(A) evaluate at least once every two years (i) the vocational education program delivery systems assisted under this Act, and under the Job Training Partnership Act, in terms of their adequacy and effectiveness in achieving the purposes of each of the two Acts and (ii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act and (B) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor of these findings and recommendations.]

(9)(A) evaluate at least once every 2 years—

(i) the extent to which vocational education, employment and training represent a consistent, integrated, and coordinated approach to meeting the economic needs of the State,

(ii) the vocational educational program delivery system assisted under this Act, and under the Job Training Partnership Act, in terms of such delivery systems' adequacy and effectiveness in achieving the purposes of each of the two Acts, and

(iii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act;

(B) comment on the adequacy or inadequacy of State action as put into practice;

(C) make recommendations to the State board on ways to create greater incentives for joint planning and collaboration between the vocational education system and the job training system at the State and local levels; and

(D) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor regarding such evaluation, findings, and recommendations.

(e) Each State council is authorized to obtain the services of such professional, technical, and clerical, personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals. *Each State Council may submit a statement to the Secretary reviewing and commenting upon the State plan. Such statement shall be sent to the Secretary with the State Plan.*

(f)(1)(A) Except as provided in subparagraph (B), from the amounts appropriated pursuant to section 3(c) the Secretary shall make grants to State councils from amounts allotted to State coun-

cils in accordance with the method for allotment contained in section 101(a)(2), without regard to paragraph (3), except that no State council shall be allotted less than [$120,000] *$150,000* nor more than [$225,000] *$250,000* for each fiscal year.

(B) From the amounts appropriated pursuant to section 3(c), for each fiscal year, the Secretary shall make grants of $50,000 to the State councils of the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and [the Trust Territory of the Pacific Islands.] *the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, and Palau.*

* * * * * * * *

STATE PLANS

[SEC. 113. (a)(1)(A) Any State desiring to receive funds from its allotment for any fiscal year shall submit to the Secretary a State plan for a three-year period in the case of the initial plan and a 2-year period thereafter, together with such annual revisions as the State board determines to be necessary.

[(B) The planning periods required by paragraph (1) of this subsection shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.

[(2)(A) In formulating the State plan (and amendments thereto) the State board shall meet with and utilize the State council, established pursuant to section 112 of this Act.

[(B) The State board shall conduct public hearings in the State, after approriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.

[(3) In developing the State plan, the State shall—

[(A) assess the current and projected occupational needs and the current and projected demand for general occupational skills within the State;

[(B) examine the needs of students, including adults, in order to determine how best to improve student skill levels in light of the State's occupational and skill requirements;

[(C) assess the special needs of groups of individuals specified in section 201(b) for access to vocational education and vocational services in terms of labor market needs;

[(D) assess the quality of vocational education in terms of—

[(i) the pertinence of programs to the workplace and to new and emerging technologies,

[(ii) the responsiveness of programs to the current and projected occupational needs in the State,

[(iii) the capacity of programs to facilitate entry into, and participation in, vocational education and to ease the school-to-work and secondary-to-postsecondary transition,

[(iv) the technological and educational quality of vocational curricula, equipment, and instructional materials to enable vocational students and instructors to meet the

challenges of increased technological demands of the workplace; and

[(v) the capability of vocational education programs to meet the needs for general occupational skills and improvement of academic foundations in order to address the changing content of jobs;

[(E) determine the capacity of local educational agencies, with respect to secondary education and postsecondary educational institutions, to deliver the vocational education services necessary to meet the needs identified through the assessments required by clauses (A) through (D) of this paragraph; and

[(F) determine, for each fiscal year, how the services and activities supported by funds furnished under this Act may be expected to assist the State in meeting the needs identified through the assessments required by clauses (A) through (D) of this paragraph.

[(b) Each such plan shall—

[(1) provide assurances that, and where necessary a description of the manner in which, the State board will comply with the requirements of titles I, II, III, and V of this Act, including—

[(A) a description of the manner in which the State will comply with the criteria required for programs for the handicapped and for the disadvantaged prescribed by section 204;

[(B) assurances that the State will comply with the distribution of assistance requirements contained in section 203; and

[(C) assurances that, to the extent consistent with the number and location of individuals described in clauses (1) and (2) of section 201(b) in the State who are enrolled in private elementary and secondary schools, provision is made for the participation of such individuals in the vocational education program assisted under part A of title II of this Act;

[(2) set forth the planned uses of Federal funds available for vocational education for each fiscal year for which the plan is submitted and describe describe how the State did carry out the provisions of section 113(a)(3);

[(3) describe progress the State has made in achieving the goals set forth in each State plan subsequent to the initial State plan;

[(4) provide assurances that the State will distribute at least 80 percent of the funds made available for parts A and B of title II to eligible recipients, or combination of eligible recipients, except that the State will distribute 100 percent of the funds available for clauses (1) and (2) of section 202, relating to the disadvantaged and the handicapped, to eligible recipients in accordance with section 203(a);

[(5) set forth the criteria the State board will use in approving applications of eligible recipients and allocating funds made available under this Act to such recipients, which shall ensure that States will allocate more Federal funds to eligible recipients in units of local government which are economically

depressed (including both urban and rural units) or which have high unemployment, as determined by the State;

[(6) provide such methods of administration as are necessary for the proper and efficient administration of the Act;

[(7) provide assurances that, in the use of funds available for single parents and homemakers under section 201(b)(3), that the State will emphasize assisting individuals with the greatest financial need, and that in serving homemakers the State will give special consideration to homemakers who because of divorce, separation or the death or disability of a spouse must prepare for paid employment;

[(8) provide assurances that the State will furnish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;

[(9)(A) provide assurances that the State will develop measures for the effectiveness of programs assisted under this Act in meeting the needs identified in the State plan, including evaluative measurements such as—

[(i) the occupations to be trained for, which will reflect a realistic assessment of the labor market needs of the State;

[(ii) the levels of skills to be achieved in particular occupations, which will reflect the hiring needs of employers; and

[(iii) the basic employment competencies to be used in performance outcomes, which will reflect the hiring needs of employers;

[(B) the State will, as a component of the measures under subclause (A) of this clause, establish appropriate measures for evaluating the effectiveness of programs for the handicapped assisted under this Act; and

[(C) provide assurances that the State will evaluate the projects, services, and activities supported under this Act of not less than 20 percent of the participating eligible recipients within the State in each fiscal year;

[(10) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with programs conducted under the Job Training Partnership Act, the Adult Education Act, title I of the Elementary and Secondary Education Act of 1965 as modified by chapter 1 of the Education Consolidation and Improvement Act of 1981, the Education of the Handicapped Act, and the Rehabilitation Act of 1973, and with apprenticeship training programs;

[(11) provide assurances that programs of personnel development, and curriculum development shall be funded to further the goals identified in the State plan;

[(12) provide assurances that the vocational education needs of those identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

[(13) provide assurances that the State board will cooperate with the State council on vocational education in carrying out its duties under this part;

[(14) provide assurance that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such organization.

[(15) provide assurances that for each fiscal year, expenditures for career guidance and counseling from allotments for title II and part D of title III will not be less than the expenditures for such guidance and counseling in the State for the fiscal year 1984 assisted under section 134(a) of the Vocational Education Act of 1963;

[(16) provide assurances that Federal funds made available under this Act will be used so as to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the State plan, and in no case supplant such State or local funds; and

[(17) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act).

[(c)(1) When changes in program conditions, labor market conditions, funding, or other factors require substantial amendment to an approved State plan, the State board, in consultation with the State council, shall submit amendments to such State plan to the Secretary. Any such amendments shall be subject to review by the State job training coordinating council, and the State council.

[(2) The Secretary shall approve, within sixty days of submission, the State plan amendments which meet the requirements of this section, unless such amendments propose changes that are inconsistent with the requirements and purposes of this Act. The Secretary shall not finally disapprove such amendments except after giving reasonable notice and an opportunity for a hearing to the State board.]

"SEC. 113. (a)(1)(A) Any State desiring to receive funds from its allotment for any fiscal year shall submit to the Secretary a State plan for a 3-year period in the case of the initial plan, and a 2-year period thereafter, together with such anual revisions as the State board determines to be necessary.

"(B) The planning periods required by paragraph (1) of this subsection shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.

"(2)(A) In formulating the State plan (and amendments thereto) the State board shall meet with and utilize, before the development of such plan, the State Council, established pursuant to section 112 of this Act.

"(B) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups

an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.

(3) In developing the State plan, the State shall conduct a State assessment according to section 115.

(b) Each State plan shall—

(1) address the needs indicated by the State assessment conducted pursuant to section 115; and

(2) provide assurances that, and where necessary a description of the manner in which, the local educational agencies, area vocational schools or intermediate educational agencies will comply with the requirements of titles I, II, and III of this Act including—

(A) a description of the manner in which the State will comply with the criteria required for programs for the special populations prescribed by section 223;

(B) assurances that the State will develop measurable goals and accountability measures for meeting the needs of special populations;

(C) adequate monitoring of programs in local educational agencies, area vocational schools or intermediate educational agencies to ensure that programs within the State are meeting the goals described in subparagraph (B); and

(D) assurances that, to the extent consistent with the number and location of individuals described in section 223, who are enrolled in private elementary and secondary schools, provision is made for the participation of such individuals in the vocational education program assisted under subpart 1 of part C of title II;

(3) set forth the planned distribution to local educational agencies, area vocational schools or intermediate educational agencies as prescribed by section 221;

(4) provide assurances that the State will comply with the provisions of section 102;

(5) set forth the criteria the State board will use—

(A) in approving applications of eligible recipients, and

(B) for allocating the 20 percent reserve for the State as authorized under section 102(a)(1);

(6) provide assurances that if the State exercises the option to redistribute the 20 percent reserve, the State will match the reserve as prescribed under section 101(c);

(7) describe how funds expended for occupationally specific training will be used only for occupations in which job openings are projected or available;

(8) provide assurances that the goal of each program shall be to give a student experience in, and understanding of, all aspects of the industry in which the student is preparing to enter;

(9) describe the progress the State has made in achieving the goals set forth in each State plan subsequent to the initial State plan;

(10) provide such methods of administration as are necessary for the proper and efficient administration of the Act;

(11) provide assurances that, in the use of funds available for single parents and displaced homemakers, and single pregnant

women under section 242, the State will emphasize assisting individuals with the greatest financial need, and that in serving homemakers the State will give special consideration to displaced homemakers who because of divorce, separation, or the death or disability of a spouse must prepare for paid employment;

(12) provide assurances that the State will funish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;

(13) describe how the State is implementing performance evaluations as prescribed by section 231;

(14) provide assurances that the State will—

(A) develop measures for the effectiveness of programs assisted under this Act in meeting the needs identified in the State plan, including evaluative measurements such as—

(i) the occupations to be trained for, which will reflect a realistic assessment of the labor market needs of the State;

(ii) the levels of skills to be achieved in particular occupations, which will reflect the hiring needs of employers; and

(iii) the basic employment competencies to be used in performance outcomes, which will reflect the hiring needs of employers;

(B) as a component of the measures under subparagraph (A) of this paragrpah, establish appropriate measures for evaluating the effectiveness of programs for the special populations described in section 223 assisted under this Act; and

(C) evaluate the projects, services, and activities supported under this Act of not less than 20 percent of the participating eligible recipients within the State in each fiscal year;

(15) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with programs conducted under the Job Training Partnership Act, the Adult Education Act, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, the Education of the Handicapped Act, and the Rehabilitation Act of 1973, and with apprenticeship training programs;

(16) provide assurances that programs of personnel development, and curriculum development shall be funded to further the goals identified in the State plan;

(17) provide assurances that the vocational education needs of identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

(18) provide assurances that the State board will cooperate with the State council on vocational education in carrying out its duties under this part;

(19) provide assurance that none of the funds expended under this Act will be used to acquire equipment (including computer

software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;

(20) provide assurances that Federal funds made available under this Act will be used so as to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the State plan, and in no case supplant such State or local funds; and

(21) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act).

APPROVAL

SEC. 114. (a)(1) Each State plan shall, not less than 60 days before the plan is to be submitted to the Secretary, be furnished to the State legislature, *the chief executive officer of the State* and the State job training coordinating council of the State under section 122 of the Job Training Partnership Act for review and comment. If the matters covered by the comments of the State legislature, *the chief executive officer of the State* and the State job training coordinating council are not covered by the State plan, the State shall submit the comments with the State plan to the Secretary.

* * * * * * *

(c) The State board shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult education, postsecondary education, technical preparation education and for secondary education after consultation with the State agency responsible for supervision of community colleges and the State agency responsible for secondary education, respectively. The State board shall, in developing such plan, take into consideration the relative training and retraining needs of secondary, adult and postsecondary students. If a State agency finds that a portion of the final State plan is objectionable, such agency shall file such objections with the State board. The State board shall respond to any objections of such agency in submitting such plan to the Secretary. The Secretary shall consider such comments in reviewing the State plan.

[(c)(1)] *(d)(1)* The Secretary shall provide technical assistance and guidance to the States in order to assist the States to fulfill the requirements of section 113(c)(3).

(2)(A) Each State plan shall be submitted to the Secretary by May 1 preceding the beginning of the first fiscal year for which such plan is to be in effect. The Secretary shall approve, within sixty days, each such plan which meets the requirements of section 113, and shall not finally disapprove a State plan except after giving reasonable notice and an opportunity for a hearing to the State board.

(B) The document submitted under subparagraph (A) shall be considered to be the general application required to be submitted

by the State for funds received under this Act for purposes of the provisions of section 435 of the General Education Provisions Act.

[LOCAL APPLICATION

[SEC. 115. (a) Except as provided in subsection (c), any eligible recipient desiring to receive assistance under this Act shall, according to requirements established by the State board, submit to the State board an application, covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications (and amendments thereto), except that each such application shall—

[(1) set forth the vocational education programs, services, and activities proposed to be funded; and

[(2) describe the coordination with relevant programs conducted under the Job Training Partnership Act and the Adult Education Act, to avoid duplication.

[(b) Each such local application shall be available for review and comment by interested parties, including the appropriate administrative entity under the Job Training Partnership Act.

[(c)(1) Eligible recipients providing relatively few vocational education programs, services, and activities funded with limited total Federal and State funds may, as detemined by the State board, be exempt from the requirements of subsection (a) or (b) or both.

[(2) Each State board shall identify in its State plan the appropriate criteria for determining such exemptions.]

STATE ASSESSMENT

SEC. 115.(a)(1) Each State board receiving assistance under this Act shall develop measurable objective criteria by which to assess the quality of, and standards for, State and local programs. Such criteria shall be developed in consultation with local educational agencies, area vocational schools, intermediate educational agencies, business and industry, union and trade representatives, vocational educators, superintendents, community-based organizations, parents, representatives of special populations described in section 223, guidance counselors and the State council. Each State board shall widely disseminate such criteria. State boards shall develop criteria by the beginning of school year 1993, and shall use criteria to assess program quality. Assessment criteria shall include—

(A) student improvement in basic skills;

(B) positive learning and educational outcomes;

(C) acquisition of all aspects of occupational competencies;

(D) student improvement in life skills, problem solving skills and career decision making;

(E) the ability of local educational agencies, area vocational schools and intermediate educational agencies to meet the needs of special populations such as the economically disadvantaged, students with disabilities, students with limited English proficiency, and women and men in programs for training in nontraditional occupations, and criminal offenders in correctional institutions, for access to vocational education and vocational services in terms of labor market needs;

(F) assessing the quality of vocational education in terms of—

(i) the pertinence of programs to the workplace and to new and emerging technologies;

(ii) the technological and educational quality of vocational curricula, equipment, and instructional materials to enable vocational students and instructors to meet the challenges of increased technological demands of the workplace;

(iii) the capability of vocational education programs to meet the needs for general occupational skills and improvement of basic academic skills in order to address the changing content of jobs;

(iv) the capability of vocational education programs to—

(I) give students experience in, and understanding of, all aspects of the industry in which the student is preparing to enter; and

(II) provide job placements; and

(v) measuring the state-of-the-art quality of the vocational education provided; and

(G) setting measurable goals to meet the needs of special populations.

(2) In developing assessment criteria pursuant to the provisions of paragraph (1)(E), the head of the special education unit, the sex equity coordinator and the individual designated under section 111(d) to monitor programs for students with limited English proficiency shall each develop data collection procedures appropriate to the special populations being served. Data collected should include information about program services and outcomes, as well as which individuals are being served.

(b) Each State board receiving assistance under this Act shall assess improvements needed in vocational education programs through the use of Federal funds provided under this Act and State and local vocational education funds. Such assessment shall utilize the following 6 factors:

(1) integration of academic and vocational education;

(2) sequential course of study;

(3) increased student job placement;

(4) increase linkages between secondary and postsecondary;

(5) ensuring that at-risk populations obtain assistance necessary to enroll and succeed in upgraded programs; and

(6) raising the quality of vocational programs in schools with high concentrations of poor and low-achieving students.

[TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

[PART A—VOCATIONAL EDUCATION OPPORTUNITIES

[USES OF FUNDS

[SEC. 201. (a) From the portion of the allotment of each State under section 101 available for this part, each State shall provide vocational education services and activities designed to meet the special needs of groups of individuals specified in subsection (b).

[(b) To meet the needs identified in the State plan, each State shall use the portion of its allotment available for this part in any fiscal year to provide vocational education services and activities

designed to meet the special needs of, and to enhance the participation of—

[(1) handicapped individuals;

[(2) disadvantaged individuals;

[(3) adults who are in need of training and retraining;

[(4) individuals who are single parents, homemakers, or single pregnant women;

[(5) individuals who participate in programs designed to eliminate sex bias and stereotyping in vocational education; and

[(6) criminal offenders who are serving in a correctional institution.

[(c)(1) Each State shall use the portion of its allotment available for this part in any fiscal year for handicapped individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for handicapped individuals to participate in vocational education. If the conditions of handicapped students require a separate program, each State may use such funds for the Federal share of the costs of the services and activities in separate vocational education programs for handicapped individuals which exceed the average per-pupil expenditures for regular services and activities of the eligible recipient.

[(2) Each State shall use the portion of its allotment available for this part in any fiscal year for disadvantaged individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for disadvantaged individuals to participate in vocational education. If the conditions of disadvantaged individuals require a separate program, each State may use such funds for the Federal share of the costs of the services and activities in separate vocational education programs for disadvantaged individuals which exceed the average per-pupil expenditures for regular services and activities of the eligible recipient.

[(d)(1) Each State may use the portion of its allotment available for this part for any fiscal year for the improvement of vocational education services and activities designed to provide equal access to quality vocational education to disadvantaged individuals, the costs of services and activities which apply the latest technological advances to courses of instruction, and, subject to the provisions of paragraph (2), the acquisition of modern machinery and tools.

[(2) Funds available to each recipient under this part for the disadvantaged may be expended for the acquisition of modern machinery and tools in schools at which at least 75 percent of the students enrolled are economically disadvantaged.

[(e)(1) Each State shall use the portion of its allotment available for this part to provide, improve, and expand adult and postsecondary education services and activities to train and retrain adults.

[(2) Funds used for the purpose described in subsection (a) may be used for services and activities developed in coordination with the State agency administering title III of the Job Training Partnership Act.

[(3) Funds for services and activities under this section may be used for—

[(A) additional training under title III of the Job Training Partnership Act;

[(B) vocational education programs for training or retraining adults, including programs for older individuals and displaced homemakers;

[(C) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer;

[(D) individuals who have completed or left high school and who are enrolled in organized programs of study for which credit is given toward an associate or other degree, but which programs are not designed as baccalaureate or higher degree programs; and

[(E) individuals who have already entered the labor market, or have completed or left high school, and who are not described in clause (D).

[(f) Each State may only use the portion of its allotment available for this part to—

[(1) provide, subsidize, reimburse or pay for vocational education and training activities, including basic literacy instruction and necessary educational materials, that will furnish single parents, homemakers, and single pregnant women with marketable skills;

[(2) make grants to eligible recipients for expanding vocational education services when this expansion directly increases the eligible recipients' capacity for providing single parents, homemakers, and single pregnant women with marketable skills;

[(3) make grants to community-based organizations for the provision of vocational education services to single parents, homemakers, and single pregnant women, if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents, homemakers, and single pregnant women, taking into account the demonstrated performance of such an organization in terms of cost, the quality of training and the characteristics of the participants;

[(4) make vocational education and training more accessible to single parents, homemakers, and single pregnant women by assisting them with child care or transportation services or by organizing and scheduling the programs so that such programs are more accessible; or

[(5) provide information to single parents, homemakers, and single pregnant women to inform them of vocational education programs and related support services.

[(g) That portion of the allotment described in section 202(5) shall be available for—

[(1) programs, services, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;

[(2) vocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and

[(3) support services for individuals participating in vocational education programs, services, and activities described in clauses (1) and (2) including dependent-care services and transportation.

The requirement with respect to age limitations contained in clause (2) of subsection (a) may be waived whenever the individual described in section 111(b)(1) determines that the waiver is essential to meet the objectives of this section.

[(h)(1) Each State may use the portion of its allotment available for this part in any fiscal year for basic skills instruction for vocational education students and related to their instructional program whenever the State board determines that such instruction is necessary to carry out the purposes described in subsection (b) of this section.

[(2) Each State may use the portion of its allotment available for this part in any fiscal year for the provision of educational training through arrangements with private vocational training institutions, private post secondary educational institutions, and employers whenever such institutions or employers can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.

[(i)(1) Vocational education services and activities described in subsection (b) shall, to the extent practicable, include work-site programs such as cooperative vocational education, work-study, and appenticeship programs.

[(2) Vocational education services and activities described in subsection (b) may include placement services for students who have successfully completed vocational education programs.

DISTRIBUTION OF ASSISTANCE

[SEC. 202. From the portion of the allotment of each State available for this part for each fiscal year—

[(1) 10 percent of the funds available for this title shall be available for handicapped individuals;

[(2) 22 percent of such funds shall be available for disadvantaged individuals;

[(3) 12 percent of such funds shall be available for adults who are in need of training and retraining;

[(4) 8.5 percent of such funds shall be available for individuals who are single parents, homemakers, or single pregnant women;

[(5) 3.5 percent of such funds shall be available for individuals who are participants in programs designed to eliminate sex bias and stereotyping in vocational education; and

[(6) 1 percent of such funds shall be made available for criminal offenders who are in correctional institutions.]

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

PART A—STATE PROGRAMS

STATE PROGRAMS AND STATE LEADERSHIP

SEC. 201. (a) From amounts reserved under section 102(a)(1)(A) each State shall conduct State programs and State leadership activities.

(b)(1) State programs conducted pursuant to subsection (a) shall include—

(A) training and retraining programs for teachers, administrators and counselors, including corrections educators and counselors, and educators and counselors in community-based organizations, which may include—

(i) training in the integration of academic and vocational studies and programs that give students experience in, and understanding of, all aspects of the industry the student is preparing to enter; and

(ii) retraining of vocational teachers in modern instructional techniques and new technologies;

(B) curriculum development, curriculum dissemination and field-testing of curriculum; and

(C) supporting vocational student organizations, with every effort being made to increase minority participation in such clubs.

(2) Training and retraining programs conducted pursuant to paragraph (1)(A) shall give particular emphasis to recruiting and training minority teachers and shall encourage programs that utilize business and industry equipment and personnel.

(3) In carrying out the provisions of paragraph (1)(B) the State—

(A) shall give priority to curriculum which integrates academic and vocational studies;

(B) shall provide special emphasis on curriculum which incorporates the needs of business and industry in high skilled occupations;

(C) may award contracts to the Corporation for Public Broadcasting; and

(D) may provide grants for technical preparation programs as described in part B of this title.

(c)(1) Leadership activities conducted pursuant to subsection (a) shall include—

(A) monitoring and evaluation, including technical assistance to local recipients;

(B) development and implementation of performance evaluations and improvement required under section 250, including technical assistance;

(C) development and implementation of State assessment required under section 109;

(D) promoting business, industry, and interagency linkages and linkages with community-based organizations;

(E) establishing guidelines for the development of local plans;

(F) the creation and maintenance of a public awareness program;

(G) developing linkages with community-based organizations; and

(H) building collaboration and joint efforts among education, labor, job training, public assistance, and other State agencies to improve vocational education services to traditionally underserved populations.

(2) Each State receiving financial assistance under this Act shall match, on a dollar for dollar basis and from non-Federal sources, the funds received pursuant to section 102(a)(1)(A) for leadership activities.

SEX EQUITY PROGRAMS

SEC. 202. From amounts reserved under section 102(b)(1) the State shall, under the administration of the sex-equity coordinator described in section 111(b)(1)—

(1) support programs, services, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;

(2) support vocational and prevocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and

(3) provide support services for individuals participating in vocational education programs, services, and activities described in paragraphs (1) and (2) including dependent-care services and transportation.

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[PART B—VOCATIONAL EDUCATION PROGRAM IMPROVEMENT, INNOVATION, AND EXPANSION]

PART B—TECHNOLOGY PREPARATION

PROGRAM AUTHORIZED

SEC. 211. From amounts reserved under section 102(a)(2) the State agency shall make competitive grants for activities carried out under this part to consortia of—

(1) local educational agencies, intermediate educational agencies serving secondary school students or area vocational schools serving secondary school students; and

(2) community colleges (including postsecondary vocational technical schools), apprenticeship programs, or institutions of higher education offering—

(A) a two-year degree,

(B) an associate's degree, or

(C) a two-year post-secondary certificate.

TECHNICAL PREPARATION EDUCATION PROGRAMS

SEC. 212. (a) GENERAL AUTHORITY.—Each recipient of a grant under this part shall use amounts paid under this part to develop and operate a 4-year technical preparation education program.

(b) CONTENTS OF PROGRAM.—Each such program shall—

(1) be carried out under an articulation agreement between the participants in the consortium;

(2) consist of the 2 years of secondary school preceding graduation and 2 years of higher education, or a 2-year apprenticeship program, with a common core of required proficiency in mathematics, science, communications and technologies designed to lead to an associate degree in a specific career field;

(3) include the development of technical preparation education program curriculum appropriate to the needs of the consortium participants; and

(4) include in-service training for teachers that—

(A) is designed to train teachers to implement effectively technical preparation education curriculum;

(B) provides for joint training for teachers from all participants in the consortium; and

(C) may provide such training in weekend, evening and summer sessions, institutes or workshops.

(c) ADDITIONAL AUTHORIZED ACTIVITIES.—Each such program may—

"(1) provide for training programs for counselors designed to enable counselors more effectively to recruit students for technical preparation education programs, and ensure their successful completion of such programs and their placement in appropriate employment;

(2) provide for the acquisition of technical preparation education program equipment; and

(3) as part of the program's planning activities, acquire technical assistance from State or local entities that have successfully designed, established and operated tech-prep programs.

APPLICATIONS

SEC. 213. (a) IN GENERAL.—Each consortium that desires to receive a grant under this part shall submit an application to the State board at such time and in such manner as the State board shall prescribe.

(b) FIVE-YEAR PLAN.—Each application submitted under this section shall contain a 3-year plan for the development and implementation of activities under this Act.

(c) APPROVAL.—The State board shall approve applications based on their potential to create an effective technical preparation education program as described in section 212.

(d) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to applicants whose applications—

(1) provide for effective employment placement activities or transfer of students to 4-year baccalaureate degree programs; and

(2) are developed in consultation with business, industry, and labor unions.

DEFINITIONS

SEC. 214. For purposes of this part—

(1) the term "articulation agreement" means a commitment to a program designed to provide students with a nonduplicative

sequence of progressive achievement leading to competencies in a technical preparation education program.

(2) the term "community college" has the meaning provided in section 1201(a) of the Higher Education Act of 1965 for an institution which provides not less than a 2-year program which is acceptable for full credit toward a bachlelor's degree.

(3) the term "technical preparation education program" means a combined secondary and postsecondary program which—

(A) leads to an associate degree;

(B) provides technical preparation in at least 1 field of engineering technology, applied science, mechanical, industrial, or practical art or trade;

(C) provides technical preparation in agriculture, health, or business;

(D) provides competence in mathematics, science, and communications (including through applied academics); and

(E) leads to placement in employment.

PART C—SECONDARY, POSTSECONDARY AND ADULT VOCATIONAL PROGRAMS

Subpart 1—Secondary School Programs

WITHIN STATE ALLOCATION

SEC. 221. (a) From amounts reserved under section 102(a)(3)(A), the State board shall allocate to each local educational agency an amount that bears the same relationship to such funds as the amount such local educational agency was allocated under sections 1005 and 1006 of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such section by local educational agencies in the State in such year as modified by State board pursuant to subsection (b).

(b)(1)(A) In the case of criminal offenders who are in State correctional institutions the State board shall ratably reduce the percentages obtained under subsection (a) in order to make available to the State correctional program under section 228 an amount which is substantially equivalent to the amount which such program would have been eligible to receive under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for that fiscal year if the State correctional program were a local educational agency.

(B) For the purpose of subparagraph (A) the age of children in correctional institutions to be counted shall be ages 9 through 35.

(C) The amount determined pursuant to subparagraphs (A) and (B) shall not exceed 5 percent of the amount reserved under section 102(a)(3)(A).

(2) In the case of an area vocational school the amounts calculated under subsection (a) that are available to local educational agencies served by that area vocational school shall be made available to that area vocational school.

(3) In the case of an intermediate educational agency the amounts calculated under subsection (a) that are available to local educational agencies served by that intermediate educational agency shall be made available to that intermediate educational agency.

(c)(1) No local educational agency area vocational school or intermediate educational agency, shall be eligible for an allocation unless the amount calculated under subsection (a) equals or exceeds $25,000.

(2) Local educational agencies, area vocational schools or intermediate educational agencies may form consortia and aggregate the amounts such agencies or schools would be eligible to receive under subsection (a) in order to comply with the provisions of paragraph (1).

(3) The provisions of paragraph (1) shall not apply to State correctional agencies.

(d) In the case that an area vocational school and a local educational agency served by such area vocational school offer comparable vocational education programs, the State agency may distribute funds to both an area vocational school and a local educational agency served by such area vocational school on the basis of the enrollment of student in vocational educational programs, provided the provisions of subsection (c)(1) are met for each area vocational school and the local educational agency.

(e) In applying the provisions of subsection (a), no State board receiving assistance under this Act shall allocate funds to a local educational agency which only serves elementary schools.

STATE RESERVE FOR AREAS WITH SEVERE PROBLEMS

SEC. 22.2 (a) Each State receiving financial assistance under this part may reserve not to exceed 10 percent of such amount for distribution to local ecucational agencies, area vocational schools, or intermediate educational agencies experiencing particularly serve hardships such as severe unemployment, a severe poverty concentration, a high dropout problem, a high crime rate, a high incidence of drug abuse or a high concentration of limited English proficient students, all of which are above the statewide average.

(b)(1) If a State elects to reserve funds pursuant to subsection (a) the State shall match such funds, on a dollar-for-dollar basis to each local recipient, from State sources or from private sources.

(2) In no event shall a State reservng funds pursuant to subsection (a) use funds from local educational agencies, area vocational schools, or intermediate educational agencies to meet the requirements of paragraph (1).

POPULATIONS TO BE SERVED

SEC. 223. (a) Each local educational agency, area vocational school, intermediate educational agency, or State agency responsible for carrying out correctional educational programs receiving funds under this subpart shall use such funds to provide vocational education services and activities designed to meet the special needs of, and to enhance the participation of—

(1) the economically disadvantaged;

(2) individuals with disabilities;

(3) individuals who participate in programs designed to elimnate sex bias and stereotyping in vocational education;

(4) students with limited English proficiency; and

(5) criminal offenders, both juvenile and adults, who are serving in a correctional institution.

PROGRAMS FOR ECONOMICALLY DISADVANTAGED STUDENTS

SEC. 224. (a) Each local educational agency, area vocational school, or intermediate educational agency receiving financial assistance under this subpart shall provide to disadvantaged individuals—

(1) equal access in recruitment, enrollment, and placement activities; and

(2) equal access to the full range of vocational programs available to nondisadvantaged individuals, including occupationally specific courses of study, cooperative education programs and apprenticeship programs.

(b) For the purpose of this section the term "disadvantaged student" means a student who is economically or educationally disadvantaged.

PROGRAMS FOR STUDENTS WITH DISABILITIES

SEC. 225. (a) Each local educational agency, area vocational school, or intermediate educational agency receiving financial assistance under this subpart shall provide to all individuals with disabilities within the jurisdiction of the recipient an equal opportunity for an appropriate vocational education. Such recipients shall use such funds, in combination with State and local funds, to provide to individual with disabilities—

(1) equal access to recruitment, enrollment, and placement activities;

(2) equal access to the full range of vocational programs available to nonhandicapped individuals, including occupationally specific courses of study, cooperative education programs and apprenticeship programs;

(3) vocational education programs and activities in the least restrictive environment in accordance with section 612(5)(B) of the Education of the Handicapped Act;

(4) the vocational education component of the individualized education plan required under sections 612(4) and 614(a)(5) of the Education of the Handicapped Act;

(5) supplementary services including curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices; and

(6) vocational education planning for individuals with disabilities which shall be—

(A) coordinated with appropriate representatives of vocational education and special education, and

(B) reviewed by the head of the State office responsible for administering part B of the Education of the Handicapped Act.

(b) Each local educational agency, area vocational school, or intermediate educational agency receiving financial assistance under this subpart shall comply with the provisions of section 504 of the Vocational Rehabilitation Act and the Education of the Handicapped Act regarding equal access to programs.

PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

SEC. 226. Each local educational agency, area vocational school, or intermediate educational agency receiving financial assistance under this subpart shall provide to students with limited English proficiency—

(1) equal access in recruitment, enrollment, and placement activities;

(2) equal access to the full range of vocational programs including occupationally specific courses of study, cooperative education programs and apprenticeship programs;

(3) supplementary services to ensure full and equitable participation in programs, such as—

(A) providing adapted vocational instruction simultaneously with English language instruction;

(B) utilizing appropriate agencies and community-based organizations to communicate in, and to provide counseling in, the students' language; and

(C) bilingual and cultural counseling; and

(4) vocational education planning which shall be reviewed by the head of the State administrative office responsible for the education of students with limited English proficiency.

PROGRAMS TO ELIMINATE SEX BIAS

SEC. 227. (a) Each local educational agency, area vocational school, or intermediate educational agency receiving financial assistance under this subpart shall provide to women and men—

(1) equal access in recruitment, enrollment, and placement activities in education and training programs in nontraditional occupations;

(2) equal access to the full range of vocational programs including occupationally specific courses of study, cooperative education programs and apprenticeship programs;

(3) programs to overcome sex bias, stereotyping and other barriers which inhibit the participation of women and men;

(4) programs to expand outreach and orientation to nontraditional occupations for women and men;

(5) supplementary services including, but not limited to, curriculum modification, equipment modification, classroom modification, supportive personnel, instructional aids and devices, and subsidized employment opportunities; and

(6) programs to increase and provide support services.

(b) Programs and services provided pursuant to subsection (a) shall be reviewed by the sex-equity coordinator consistent with the provisions of section 111(b)(1)(A).

PROGRAMS FOR CRIMINAL OFFENDERS

SEC. 228. Each State agency responsible for carrying out correctional education programs receiving financial assistance under this Act shall—

(1) administer programs for criminal offenders, both juvenile and adults, in correctional institutions; and

(2) provide vocational education programs for women who are incarcerated;

(3) use funds provided pursuant to the provisions of section 221(b)(1)(A) to update equipment; and

(4) distribute funds of services to correctional institutions in proportion to the number of individuals served by each facility, giving special emphasis to ensure services for women who are incarcerated.

USE OF FUNDS

SEC. 229. (a)(1) Each local educational agency, area vocational school, intermediate educational agency, and State agency responsible for corrections education receiving financial assistance under this subpart shall use such funds to—

(A) provide to individuals described in section 223 the supplementary services necessary to ensure full and equitable participation in vocational education programs;

(B) ensure that programs for the individuals described in section 223 are of the highest quality and are state-of-the-art; and

(C) support supplemental or additional staff, equipment, materials, and services for the individuals described in section 223.

(2) Each local educational agency, area vocational school, intermediate educational agency, or State agency responsible for correctional education receiving funds under this section shall use no more than 5 percent of such funds for administrative costs.

(3) Local recipients receiving funds under this section may use such funds to develop programs in consortia or in cooperation with community-based organizations.

(b)(1) Each local educational agency, area vocational school, intermediate educational agency, and State agency responsible for corrections education receiving financial assistance under this subpart shall, to the extent practicable, use such funds for individuals described in section 223 to—

(A) integrate academic and vocational training which—

(i) provides a sequential course of study that uses an applied context based on broad and specific job training and which reinforces and enhances academic skills and motivates students to excel in both academic and vocational courses; and

(ii) encourages utilization of a business-industry model of applied learning techniques;

(B) provide program improvement, including instructional services, curriculum and materials development and state-of-the-art equipment designed specifically to upgrade instruction;

(C) designate a special populations coordinator who shall be a qualified counselor or teacher to ensure that special populations are receiving adequate services and job skill training; and

(D) provide comprehensive guidance and counseling to the individuals described in section 263 who have not entered grade 9 and to the parents of such individuals concerning—

(i) the course of study in each vocational program offered;

(ii) the occupational opportunities for employment after graduation, as well as summer and part-time employment during the school year;

(iii) information about postsecondary opportunities;

(iv) information about apprenticeship opportunities; and

(v) guidance and counseling at the prevocational level and during the vocational program.

(2) Each local recipient receiving assistance under this subpart may use such funds for technical preparation education programs described in part B of this title for special populations described under section 223.

(3) The individual described in paragraph (1)(C) shall be compensated in whole or in part through funds reserved pursuant to subseciton (b)(2) for administrative costs.

(4) Funds used to carry out the provisions of paragraphs (1)(A) and (1)(B) may be used to benefit other populations providing the needs of the individuals described in section 223 are being met.

LOCAL APPLICATION

SEC. 230. (a) Any local educational agency, area vocational school, intermediate educational agency, and State agency responsible for corrections education desiring financial assistance under this subpart shall, according to requirements established by the State board, submit to the State board an application, covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications, except that each such application shall—

(1) contain a description of the vocational education programs to be funded;

(2) contain a report on the number of individuals in each of the special populations categories contained in section 223;

(3) assess the needs of the special populations and planned use of funds to meet such needs;

(4) identify the planned use of resources allocated to meet such needs;

(5) ensure full and equitable participation in a vocational educational program of quality;

(6) provide assurances that the programs funded under this subpart shall be carried out according to the criteria for programs for each special population describe din section 223;

(7) describe the performance evaluation standards the applicant will use to measure its progress;

(8) demonstrate that in using funds in accordance with the provisions of section 229 (b)(1)(A) and (b)(1)(B) the local recipient has first met the needs of the individuals described in section 223 as required by section 229(b)(3);

(9) describe methods to coordinate vocational education services with relevant programs conducted under the Job Training partnership Act, including cooperative arrangments established with private industry councils established under the Job Training Partnership Act, in order to avoid duplication and to expand the range of and accessibility to vocational education services;

(10) describe methods to be used to develop vocational educational programs in consultation with parents and students of special populations described in section 223; and

(11) provide a description of cordination with community-based organizations.

(b) The individual described in section 229(a)(1)(C) shall review and comment on the application submitted pursuant to subsection (a) regarding the assurances contained in such application and the services to be provided to the special populations described in section 223.

PERFORMANCE EVALUATION AND IMPROVEMENT

SEC. 231. Each local educational agency, area vocational school, intermediate educational agency, and State agency responsible for corrections education receiving financial assistance under this subpart shall develop goals for, and evaluate the effectiveness of, the program conducted pursuant to this subpart with respect to—

(1) progress in the achievement of basic skills;

(2) progress in achieving occupational skills necessary to obtain employment;

(3) the ability to meet the needs of the special populations described in section 223; and

(4) any other measures the recipient includes to reflect accurately the success of the program.

(b) Each entity described in subsection (a) shall consult with the State board in determining measurement indicators pursuant to the criteria set forth in subsection (a).

(c) Each entity described in subsection (a) shall annually evaluate such entity's ability to meet the criteria developed under subsection (a). If any entity described in subsection (a) determines that such entity is not making substantial progress in meeting the criteria set forth in subsection (a), such entity shall develop a plan for program improvement.

(d) Each entity described in subsection (a) shall regularly review programs, with the full and informed participation of representatives of the special populations described in section 223, to identify and to adopt measures to overcome any barriers which are resulting in lower rates of access or success for special populations.

PROGRAM IMPROVEMENT PLAN

SEC. 232. (a) The plan developed pursuant to section 231(c) shall describe how the local educational agency, area vocational school, intermediate educational agency, or State agency responsible for corrections education will identify and modify programs funded under this subpart including—

(1) a description of vocational education strategies designed to achieve the criteria set forth in section 231(a); and

(2) a description of measures designed to improve supplementary services provided to special populations described in section 223.

(b) If after one year of implementation of the plan described in subsection (a), sufficient progress in meeting the criteria described in section 231 has not been made, the State shall work jointly with the local educational agency, area vocational school, intermediate educational agency, or State agency responsible for corrections educa-

tion to develop a plan for program improvement. Each such plan shall contain—

(1) a description of the technical assistance and program activities the State will provide to enhance the performance of the recipient;

(2) set forth a reasonable timetable to improve the school performance under the plan;

(3) a description of vocational education strategies designed to improve the performance of the program as measured by the evaluation; and

(4) a description of measures designed to improve supplementary services provided to special populations described in section 223.

Subpart 2—Postsecondary and Adult Programs

POSTSECONDARY AND ADULT PROGRAMS

SEC. 240. (a) From amounts reserved under section 102(a)(3)(B) the State board shall make grants, on a competitive basis, or on the basis of a formula as determined by the State board, to—

(1) postsecondary educational institutions;

(2) programs for adults in secondary schools;

(3) area vocational schools serving postsecondary students or adults;

(4) community-based organizations providing vocational education to adults;

(5) any of the entities set forth in paragraphs (1) through (3) in partnership with business and industry; and

(6) consortia of the entities described in paragraphs (1) through (5);

to improve vocational education programs for postsecondary students, adults, and single parents, homemakers, and single pregnant women.

(b) In awarding grants under this section the State agency shall give priority to—

(1) programs serving economically disadvantaged individuals, individuals with disabilities, individuals with limited English proficiency, and traditionally underserved populations;

(2) apprenticeship programs, especially programs that serve the individuals described in paragraph (1);

(3) programs that are strongly tied to economic development efforts within the State;

(4) programs which—

(A) train adults and students for all aspects of the occupations in which job openings are projected or currently available;

(B) are developed in conjunction with business and industry, the community, the State board, and local eligible recipients; and

(C) focus on the most salable, highest placement aspects of the industry; and

(5) partnerships described in subsection (a)(5).

(c) Grants awarded under this section shall coordinate programs and services provided under this Act with programs and services provided pursuant to—

(1) the Job Training Partnership Act,

(2) the Adult Education Act, and

(3) the Welfare Reform Act,

to avoid duplication of effort and to ensure maximum effective utilization of funds under this subpart.

POSTSECONDARY AND ADULT USE OF FUNDS

SEC. 241. (a) Grants awarded under this subpart may be used for—

(1) vocational programs for training or retraining adults, including programs for older individuals;

(2) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer;

(3) education and training programs designed cooperatively with employers, such as institutional programs, workplace literacy programs, worksite programs, including apprenticeship training programs (or combinations of such programs);

(4) industry-education partnership training programs in high-technology occupations (including programs providing related instruction to apprentices) and projects to train skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes; and

(5) technical preparation education programs described in part B of title II.

(b) The State shall use funds provided pursuant to this subpart for apprenticeship training programs especially tailored to—

(1) the needs of an industry or groups of industries for skilled workers, technicians, or managers, or

(2) enable the existing work force to adjust to changes in technology or work requirements.

(c) Grants awarded under this subpart may be used to provide educational training through arrangements with private vocational training institutions, private postsecondary educational institutions, and employers whenever such institutions or employers can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.

(d)(1) From funds available under this section, the State board may establish and support, through grants to institutions of higher education offering comprehensive programs in teacher preparation, statewide mentoring programs to—

(A) fully use the skills and work experience of individuals employed or formerly employed in business and industry who are interested in becoming classroom instructors; and

(B) meet the needs of vocational educators who wish to upgrade their teaching competencies.

(2) Any mentoring program established under this program shall—

(A) establish partnerships among State certification agencies, institutions of higher education offering comprehensive vocational education programs, and local educational agencies to deliver a professional development program aimed at preparing and supporting vocational educators;

(B) provide competency-based vocational teacher education programs; and

(C) provide assessment of professional education skills and develop a plan leading to probationary certification within 3 years;

(D) employ as mentors highly qualified classroom educators who shall be selected by a process collaboratively developed by the institution of higher education and local educational agencies within the State, and the State board, who shall assist in—

(i) developing and demonstrating competence in planning, teaching, evaluating, and managing classrooms;

(ii) supervising vocational students' organizations;

(iii) working with advisory committees;

(iv) understanding cooperative vocational education programs;

(v) understanding the foundations of vocational education; and

(vi) identifying other sources of educational support and information to assist the new vocational educators in becoming effective teachers.

PROGRAMS FOR SINGLE PARENTS, DISPLACED HOMEMAKERS, AND SINGLE PREGNANT WOMEN

SEC. 242. (a) From amounts reserved under section 102(b)(2) each State board shall provide vocational and prevocational educational programs and services for single parents, displaced homemakers, and single pregnant women.

(b)(1) From amounts reserved under section 102(b)(2) each State board may provide vocational and prevocational education programs and services in postsecondary or secondary school settings, including area vocational schools serving single parents, displaced homemakers and single pregnant women.

(2) Programs and services provided pursuant to this subpart shall be administered by the sex equity coordinator as described in section 111(b)(1)(A).

(c) From amounts reserved under section 102(b)(2) each State may—

(1) provide, subsidize, reimburse or pay for vocational and prevocational education and training activities, including basic literacy instruction and necessary educational materials, that will furnish single parents, homemakers, and single pregnant women with marketable skills;

(2) make grants to single parents, displaced homemakers, and single pregnant women for expanding vocational and prevocational education services when such expansion directly increases the capacity of eligible recipients for providing single parents, homemakers and single pregnant women with marketable skills;

(3) make grants to community-based organizations for the provision of vocational and prevocational education services to single parents, homemakers, and single pregnant women, if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents, homemakers, and single pregnant women, taking into account the demonstrated performance of such an organization in terms of cost, the quality of training and the characteristics of the participants;

(4) make vocational and prevocational education and training more accessible to single parents, homemakers, and single pregnant women by assisting such individuals with child care or transportation services, or adult dependent care by organizing and scheduling the programs so that such programs are more accessible; or

(5) provide information to single parents, homemakers, and single pregnant women to inform them of vocational education programs and related support services.

Subpart 3—General Provisions

STATE PERFORMANCE EVALUATION AND IMPROVEMENT

SEC. 250. (a) Each State desiring financial assistance under this part shall develop criteria for, and evaluate the effectiveness of, programs under this part with respect to—

(1) progress in the achievement of basic skills;

(2) progress in achieving occupational skills necessary to obtain employment;

(3) the program's ability to meet the needs of special populations; and

(4) any other measures the State shall deem necessary.

(b) In developing the criteria required in subsection (a), the State board shall make every effort to develop criteria consistent with the standards and evaluations developed pursuant to section 231 by recipients of financial assistance under subpart 1. If after 2 years the State board determines that the local recipient of financial assistance under subpart 1 is not making progress in meeting the goals set forth by such recipient, the State shall work in conjunction with such recipient as prescribed in section 231 by providing program and technical assistance from funds provided under part A of title II.

[USES OF FUNDS

[SEC. 251. (a) From the portion of the allotment of each State under section 101 available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State may use funds so available to meet the needs identified in the State plan for—

[(1) the improvement of vocational education programs within the State designed to improve the quality of vocational education, including high-technology programs involving an industry-education partnership as described in part D of title III, apprenticeship training programs, and the provisions of technical assistance;

[(2) the expansion of vocational education activities necessary to meet student needs and the introduction of new vocational education programs, particularly in economically depressed urban and rural areas of the State;

[(3) the introduction of new vocational education programs, particularly in economically depressed urban and rural areas;

[(4) the creation or expansion of programs to train workers in skilled occupations needed to revitalize businesses and industries or to promote the entry of new businesses and industries into a State or community;

[(5) exemplary and innovative programs which stress new and emerging technologies and which are designed to strengthen vocational education services and activities;

[(6) the improvement and expansion of postsecondary and adult vocational education programs and related services for out-of-school youth and adults, which may include upgrading the skills of (A) employed workers, (B) workers who are unemployed or threatened with unemployment as a result of technological change or industrial dislocation, (C) workers with limited English proficiency, and (D) displaced homemakers and single heads of households;

[(7) the improvement and expansion of career counseling and guidance authorized by part D of title III;

[(8) programs relating to curriculum development in vocational education within the State, including the application of basic skills training;

[(9) the expansion and improvement of programs at area vocational education schools;

[(10) the acquisition of equipment and the renovation of facilities necessary to improve or expand vocational education programs within the State;

[(11) the conduct of special courses and teaching strategies designed to teach the fundamental principles of mathematics and science through practical applications which are an integral part of the student's occupational program;

[(12) the assignment of personnel to work with employers and eligible recipients in a region to coordinate efforts to ensure that vocational programs are responsive to the labor market and supportive of apprenticeship training programs;

[(13) the activities of vocational student organizations carried out as an integral part of the secondary and postsecondary instructional program;

[(14) prevocational programs;

[(15) programs of modern industrial and agricultural arts;

[(16) support for full-time personnel to carry out section 111(b) which shall be paid for from administrative expenses of the State available under section 102(b);

[(17) the provision of stipends, which shall not exceed reasonable amounts as prescribed by the Secretary by regulation, for students entering or already enrolled in vocational education programs who have acute economic needs which cannot be met under work-study programs;

[(18) placement services for students who have successfully completed vocational education programs (including special

services for the handicapped and cooperative efforts with rehabilitation programs);

[(19) day care services for children of students in secondary and postsecondary vocational education programs;

[(20) the construction of area vocational education school facilities in areas having a demonstrated need for such facilities;

[(21) the acquisition of high-technology equipment for vocational education programs;

[(22) the provision of vocational education through arrangements with private vocational education institutions, private postsecondary educational institutions, and employers whenever such private institutions or employers can make a significant contribution to attaining the objectives of this Act and can provide substantially equivalent preparation at a lesser cost, or can provide equipment or services not available in public institutions;

[(23) the acquisition and operation of communications and telecommunications equipment for vocational education programs;

[(24) the improvement or expansion of any other vocational education activities authorized under part A;

[(25) pre-employment skills training; and

[(26) school-to-work transition programs.

[(b) From the portion of the allotment of each State under section 101 available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State shall use grants for the provision of inservice and preservice training designed to increase the competence of vocational education teachers, counselors, and administrators, including special emphasis on the integration of handicapped and disadvantaged students in regular courses of vocational education.]

ADMINISTRATIVE PROVISIONS

SEC. 251. (a)(1)(A) Funds made available under this part shall be used to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the application, and in no case supplant such State or local funds.

(B) Notwithstanding subparagraph (A), funds made available under this part may be used to pay for the costs of vocational education services required in an individualized education plan developed pursuant to sections 612(4) and 614(a)(5) of the Education of the Handicapped Act, in a manner consistent with section 614(a)(1) of such Act, and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational education.

(2) No State shall take into consideration payments under this Act in determining, for any educational agency or institution in that State, the eligibility for State aid, or the amount of State aid, with respect to public education within the State.

(3) The Secretary may waive, for each of the fiscal years 1991, 1992, and 1993 on an annual basis, the requirements of paragraphs (1) and (2) with respect to any State that expended for postsecondary

education programs more than 75 percent of the funds available under this title in fiscal year 1989.

(b) Any project assisted with funds made available under this part shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

(c)(1) Vocational education services and activities described in this part may include work-site programs such as cooperative vocational education, programs with community-based organizations, work-study, and apprenticeship programs.

(2) Vocational education services and activities described in this part may include placement services for students who have successfully completed vocational education programs.

(d) Each State board receiving financial assistance under this part may consider granting academic credit for vocational education courses which integrate core academic competencies.

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TITLE III—SPECIAL PROGRAMS

PART A—STATE ASSISTANCE FOR VOCATIONAL EDUCATION SUPPORT PROGRAMS BY COMMUNITY-BASED ORGANIZATIONS

APPLICATIONS

SEC. 301. (a) * * *

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SEC. 302. (a) * * *

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(6) model programs for school dropouts;

[(6)] *(7)* assessment of students needs in relation to vocational education and jobs; and

[(7)] *(8)* guidance and counseling to assist students with occupational choices and with the selection of a vocational education program.

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PART B—CONSUMER AND HOMEMAKING EDUCATION

CONSUMER AND HOMEMAKING EDUCATION GRANTS

SEC. 311. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to make grants to States to assist them in conducting consumer and homemaking education programs. Such programs may include (1) instructional programs, services, and activities that prepare youth and adults for the occupation of homemaking, and (2) instruction in the areas of food and nutrition, *individual and family health,* consumer education, family living and parenthood education, child development and guidance, housing, home management (including resource management), and clothing and textiles.

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USE OF FUNDS FROM CONSUMER AND HOMEMAKING EDUCATION GRANTS

SEC. 312. (a) * * *

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(1) program development and impovement of instruction and curricula relating to managing individual and family resources, making consumer choices, [managing home and work responsibilities] *balancing work and family*, improving responses to individual and family crises *(including family violence and child abuse*, strengthening parenting skills (*especially among teenage parents), preventing preventing teen pregnancy*, assisting aged and handlicapped individuals *assisting at-risk population (including the homeless)*, [improving nutrition] *improving individual child and family nutrition wellness,* conserving limited resources, understanding the impact of new technology of life and work, applying consumer and homemaking education skills to jobs and careers, and other needs as determined by the State; and

INFORMATION DISSEMINATION AND LEADERSHIP

SEC. 313. (a) The State board shall ensure that the experience and *educational* information gained through carrying out programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and preparation in home economics education.

(b) Funds available under this part may be used to provide full-time State leadership and administrators with educational preparation in home economic education.

[(b)] *(c)* Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.

[PART C—ADULT TRAINING, RETRAINING, AND EMPLOYMENT DEVELOPMENT

[Subpart 1—Basic Program

[FINDINGS AND PURPOSE

[SEC. 321. (a) The Congress finds that—

[(1) technological change, international competition, and the demographics of the Nation's work force have resulted in increases in the numbers of adult workers who are unemployed, who have been dislocated, or who require training, retraining, or upgrading of skills.

[(2) many women entering and reentering the paid labor market are disproportionately employed in low-wage occupations and require additional training.

[(3) many adults cannot gain access to or benefit from vocational education due to limited English proficiency, and

[(4) these needs can be met by vocational education programs that are responsive to the needs of individuals and the demands of the labor market.

[(b) It is the purpose of this subpart (1) to provide financial assistance to the States to enable them to expand and improve vocational education programs designed to meet urgent needs for training, retraining, and employment development of adults who have completed or left high school and are preparing to enter or have entered the labor market, in order to equip adults with the competencies and skills required for productive employment, and (2) to ensure that such programs are relevant to the labor market needs and accessible to all segments of the population, including women, minorities, the handicapped, individuals with limited English proficiency, workers fifty-five and older, and the economically disadvantaged.

[AUTHORIZATION OF GRANTS AND USES OF FUNDS

[SEC. 322. (a) From the portion of the allotment of each State under section 101 available for this subpart, the Secretary shall make grants to the States for programs, services, and activities authorized by this subpart.

[(b)(1) Grants to States under this subpart may be used, in accordance with State plans, for—

[(A) vocational education programs, services, activities, and employment development authorized by title II which are designed to meet the needs of—

[(i) individuals who have graduated from or left high school and who need additional vocational education for entry into the labor force;

[(ii) unemployed individuals who require training to obtain employment or increase their employability;

[(iii) employed, individuals who require retraining to retain their jobs, or who need training to upgrade their skills to qualify for higher paid or more dependable employment;

[(iv) displaced homemakers and single heads of households who are entering or reentering the labor force;

[(v) employers who require assistance in training individuals for new employment opportunities or in retraining employees in new skills required by changes in technology, products, or processes; and

[(vi) workers fifty-five and older;

[(B) short-term programs of retraining designed to upgrade or update skills in accordance with changed work requirements;

[(C) education and training programs designed cooperatively with employers, such as—

[(i) institutional and worksite programs, including apprenticeship training programs (or combinations of such programs) especially tailored to the needs of an industry or group of industries for skilled workers, technicians, or managers, or to assist their existing work force to adjust to changes in technology or work requirements; and

[(ii) quick-start, customized training for workers in new and expanding industries, or for workers for placement in jobs that are difficult to fill because of a shortage of workers with the requisite skills,

[(D) building more effective linkage between vocational education programs and private sector employers (through a variety of programs including programs where secondary school students are employed on a part-time basis as registered apprentices with transition to full-time apprenticeships upon graduation), and between eligible recipients of assistance under this Act and economic development agencies and other public and private agencies providing job training and employment services, in order to more effectively reach out to and serve individuals described in subparagraph (A);

[(E) cooperative education programs with public and private sector employers and economic development agencies, including seminars in institutional or worksite settings, designed to improve management and increase productivity;

[(F) entrepreneurship training programs which assist individuals in the establishment, management, and operation of small business enterprises;

[(G) recruitment, job search assistance, counseling, remedial services, and information and outreach programs designed to encourage and assist males and females to take advantage of vocational education programs and services, with particular attention to reaching women, older workers, individuals with limited English proficiency, the handicapped, and the disadvantaged;

[(H) curriculum development, acquisition of instructional equipment and materials, personnel training, pilot projects, and related and additional services and activities required to effectively carry out the purposes of this subpart;

[(I) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer; and

[(J) related instruction for apprentices in apprenticeship training programs.

[(2) In making grants under this subpart, the Secretary shall require each State, in its State plan (or an amendment thereto), to assure that programs—

[(A) are designed with the active participation of the State council established pursuant to section 112;

[(B) make maximum effective use of existing institutions, and planned to avoid duplication of programs or institutional capabilities, and to the fullest extent practicable are designed to strengthen institutional capacity to meet the education and training needs addressed by this part;

[(C) involve close cooperation with and participation by public and private sector employers and public and private agencies working with problems of employment and training and economic development; and

[(D) where appropriate, involve coordination with programs under the Rehabilitation Act of 1973 and the Education of the Handicapped Act.

[COORDINATION WITH THE JOB TRAINING PARTNERSHIP ACT

[SEC. 323. (a) Each State receiving grants under this subpart shall include in the State plan methods and procedures for coordinating vocational education programs, services, and activities funded under this subpart to provide programs of assistance for dislocated workers funded under title III of the Job Training Partnership Act.

[(b)(1) The State board shall consult with the State job training coordinating council (established under section 122 of the Job Training Partnership Act) in order that programs assisted under this subpart may be taken into account by such council in formulating recommendations to the Governor for the Governor's coordination and special services plan required by section 121 of such Act.

[(2) The State board shall also adopt such procedures as it considers necessary to encourage coordination between eligible recipients receiving funds under this subpart and the appropriate administrative entity established under the Job Training Partnership Act in the conduct of their respective programs, in order to achieve the most effective use of all Federal funds through programs that complement and supplement each other, and, to the extent feasible, provide an ongoing and integrated program of training and services for workers in need of such assistance.

[Subpart 2—Special Program

[FINDINGS AND PURPOSE

[SEC. 326. (a) FINDINGS.—The Congress finds that—

[(1) technological change, international competition, and the demographics of the Nation's workforce have resulted in increases in the numbers of experienced adult workers who are unemployed, who have been dislocated, or who require training, retraining, or upgrading of skills,

[(2) the individuals who are entering and reentering the labor market are less educated, trained, or skilled and are disproportionately employed in low-wage occupations and require additional training, and

[(3) these needs can be met by education and training programs, especially vocational programs, that are responsive to the needs of individuals and the demands of the labor market.

[(b) PURPOSE.—It is the purpose of this part to (1) provide financial assistance to States to enable them to expand and improve vocational education programs designed to meet current needs for training, retraining, and employment development of adults who have completed or left high school and are preparing to enter or have entered the labor market, including workers who are 55 years of age and older, in order to equip adults with the competencies and skills required for productive employment, and (2) to ensure that programs are available which are relevant to the labor market needs and accessible to all segments of the population.

[AUTHORIZATION OF GRANTS AND USES OF FUNDS

[SEC. 327. (a) GRANTS TO STATES.—The Secretary shall make grants in proportion to the amount received under section 101 to States for programs, services, and activities authorized by this part.

[(b) STATE ADMINISTRATION.—(1) Grants to States under this part shall be made to the board established under section 111 to serve as the grant recipient and catalyst to public-private training partnerships.

[(2)(A) Such board shall make awards on the basis of application from educational institutions (e.g. community colleges, vocational schools, service providers under the Job Training Partnership Act (29 U.S.C. 49 et seq.), four-year colleges, universities, and community based organizations) which link up with one or more private companies in order to train people for jobs in high growth fields.

[(B) The board shall establish criteria for application, application content and criteria, and procedures for the awarding of grants under this section.

[(3) Business must be actively involved in the planning, designing, operating, and monitoring of the education and training programs so that they will meet their needs.

[(4) Training can include entry level training, employee upgrading, retraining, and customized training.

[(5) Grants shall not be awarded for more than 50 percent of the costs. The remainder must come from the private sector in either cash or related equipment and services which would be at least equivalent to the Federal grant portion.

[(c) ELIGIBLE PROGRAMS.—Programs eligible for funding by the State, and designed cooperatively between education institutions and one or more businesses, may include—

[(1) institutional and worksite programs tailored to meet the needs of an industry or group of industries for skilled workers, technicians or managers, or to assist their existing workforce to adjust to changes in technology or work requirements;

[(2) quick-start, customized training for workers in new and expanding industries, or for workers for placement in jobs that are difficult to fill because of a shortage of workers with the requisite skills;

[(3) shared programs between educational institutions and businesses, where a work experience is provided by the business subsequent to the classroom training to reinforce the classroom or workship training;

[(4) cooperative education programs with public and private sector employers and economic development agencies, including seminars in institutional or worksite settings, designed to improve management and increase productivity;

[(5) entrepreneurship training programs which assist individuals in the establishment, management, and operation of small business enterprises;

[(6) recruitment, job search assistance, counseling, remedial services, and information and outreach programs designed to encourage and assist males and females to take advantage of vocational education programs and services, with particular attention to reaching women, older workers, individuals with

limited English proficiency, the handicapped, and the disadvantaged; and

[(7) related instruction for apprentices in apprenticeship training programs.

[(d) REQUIREMENT.—In making grants under this part, the Secretary shall require each State, in its State plan (or an amendment to such plan), to assure that programs—

[(1) are designed with the active participation of the State council established pursuant to section 112;

[(2) make maximum effective use of existing institutions, are planned to avoid duplication of programs or institutional capabilities, and to the fullest extent practicable are designed to strengthen institutional capacity to meet the education and training needs addressed by this part;

[(3) assure the active participation by public and private sector employers and public and private agencies working with programs of employment and training and economic development; and

[(4) where appropriate, involve coordination with programs under the Rehabilitation Act of 1973 and the Education of the Handicapped Act.

[COORDINATION WITH THE JOB TRAINING PARTNERSHIP ACT

[SEC. 328. (a) REQUIREMENTS FOR INCLUSION IN STATE PLAN.—Each State receiving grants under this part shall include in the State plan methods and procedures for coordinating vocational education programs, services, and activities funded under this part to provide programs of assistance for dislocated workers funded under title III of the Job Training Partnership Act.

[(b) CONSULTATION WITH STATE JOB TRAINING COORDINATING COUNCIL.—(1) The State board shall consult with the State job training coordinating council (established under section 122 of the Job Training Partnership Act) in order that programs assisted under this part may be taken into account by such council in formulating recommendations to the Governor for the Governor's coordination and special services plan required by section 121 of such Act.

[(2) The State board shall also adopt such procedures as it considers necessary to encourage coordination between eligible recipients receiving funds under this part and the appropriate administrative entity established under the Job Training Partnership Act in the conduct of their respective programs, in order to achieve the most effective use of all Federal funds through programs that complement and supplement each other, and, to the extent feasible, provide an ongoing and integrated program of training and services for workers in need of such assistance.

[PART D—COMPREHENSIVE CAREER GUIDANCE AND COUNSELING PROGRAMS

[GRANTS FOR CAREER GUIDANCE AND COUNSELING

[SEC. 331. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to

make grants to States to assist them in conducting career guidance and counseling programs authorized by this part.

[USE OF FUNDS FROM CAREER GUIDANCE AND COUNSELING GRANTS

[SEC. 332. (a) Grants to any State under this part shall be used, in accordance with State plans (and amendments thereto), for programs (organized and administered by certified counselors) designed to improve, expand, and extend career guidance and counseling programs to meet the career development, vocational education, and employment needs of vocational education students and potential students. Such programs shall be designed to assist individuals—

[(1) to acquire self-assessment, career planning, career decisionmaking, and employability skills;

[(2) to make the transition from education and training to work;

[(3) to maintain marketability of current job skills in established occupations;

[(4) to develop new skills to move away from declining occupational fields and enter new and emerging fields in high-technology areas and fields experiencing skill shortages;

[(5) to develop midcareer job search skills and to clarify career goals; and

[(6) to obtain and use information on financial assistance for postsecondary and vocational education, and job training.

[(b) Programs of career guidance and counseling under this part shall encourage the elimination of sex, age, handicapping condition, and race bias and stereotyping, provide for community outreach, enlist the collaboration of the family, the community, business, industry, and labor and be accessible to all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged. The programs authorized by this part shall consist of—

[(1) instructional activities and other services at all educational levels to help students with the skills described in clauses (1) through (6) of subsection (a); and

[(2) services and activities designed to ensure the quality and effectiveness of career guidance and counseling programs and projects assisted under this part, such as counselor education (including education of counselors working with individuals with limited English proficiency), training of support personnel, curriculum development, research and demonstration projects, experimental programs, instructional materials development, equipment acquisition, and State and local leadership and supervision; and

[(3) projects which provide opportunities for counselors to obtain firsthand experience in business and industry, and projects which provide opportunities to acquaint students with business, industry, the labor market, and training opportunities (including secondary educational programs that have at least one characteristic of an apprenticeable occupation as recognized by the Department of Labor or the State Apprenticeship Agency in accordance with the Act of August 16, 1937,

known as the National Apprenticeship Act, in concert with local business, industry, labor, and other appropriate apprenticeship training entities, designed to prepare participants for an apprenticeable occupation or provide information concerning apprenticeable occupations and their prerequisites).

[(c) Not less than 20 percent of the sums made available to a State under this part shall be used for programs designed to eliminate sex, age, and race bias and stereotyping under subsection (b) and for activities to ensure that programs under this part are accessible to all segments of the population, including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities.

[INFORMATION DISSEMINATION AND LEADERSHIP

[SEC. 333. (a) The State board shall ensure that the experience and information gained through programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and knowledge in guidance and counseling.

[(b) Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.

[PART E—INDUSTRY-EDUCATION PARTNERSHIP FOR TRAINING IN HIGH-TECHNOLOGY OCCUPATIONS

[FINDINGS AND PURPOSE

[SEC. 341. (a) The Congress funds that—

[(1) shortages of technicians in high-technology fields are adversely affecting the Nation's productivity, its competitiveness in world markets, defense capability, and economic health; and

[(2) the Nation's vocational education system can make a major contribution in meeting the need for trained technicians and skilled workers in these fields, particularly through partnerships between vocational agencies and institutions and private business and industry.

[(b) It is therefore the purpose of this part—

[(1) to provide incentives for business and industry and the vocational education community to develop programs to train the skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes; and

[(2) to ensure that such programs are relevant to the labor market and accessible to all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged.

[AUTHORIZATION OF GRANTS

[SEC. 342. (a) From the portion of the allotment of each State under section 101 available for this part, the Secretary shall make grants to the States to carry out industry-education partnership

training programs in high-technology occupations in accordance with this part.

[(b) Grants to any State under this part shall be used, in accordance with State plans which contain assurances to the Secretary that—

[(1) funds received under this part will be used solely for vocational education programs designed to train skilled workers and technicians in high-technology occupations (including programs providing related instruction to apprentices) and projects to train skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes;

[(2) to the maximum extent practicable, funds received under this part will be utilized in coordination with the Job Training Partnership Act to avoid duplication of effort and to ensure maximum effective utilization of funds under this Act and the Job Training Partnership Act;

[(3) except as provided in subsection (c), not less than 50 per centum of the aggregate costs of programs and projects assisted under this part will be provided from non-Federal sources, and not less than 50 per centum of such non-Federal share of aggregate costs in the State will be provided by participating business and industrial firms;

[(4) programs and projects assisted under this part will be coordinated with those assisted under title II, and to the maximum extent practicable (consistent with the purposes of programs assisted under title II), supportive services will be so organized as to serve programs under both titles; and

[(5) programs and projects assisted under this part will be developed with the active participation of the State council established pursuant to section 112.

[(c)(1) The business and industrial share of the cost required by subsection (b)(3) may be in the form of cash or of in-kind contributions (such as facilities, overhead, personnel, and equipment) fairly valued.

[(2) The Federal share of such costs shall be available equally from funds available to the States under this part and from funds allotted to the States under title II.

[(3) If an eligible recipient demonstrates to the satisfaction of the State that it is incapable of providing all or part of the non-Federal portion of such costs as required by subsection (b)(3), the State may designate funds available under part B of title II or funds available from State sources in lieu of such non-Federal portion.

[USE OF FUNDS

[SEC. 343. (a) Funds made available to the States by grants under this part may be used solely for the establishment and operation of programs and projects described by section 342(b) and for—

[(1) necessary administrative costs of the State board and of eligible recipients associated with the establishment and operation of programs authorized by this part;

[(2) training and retraining of instructional and guidance personnel;

[(3) curriculum development and the development or acquisition of instructional and guidance equipment and materials;

[(4) acquisition and operation of communications and telecommunications equipment and other high-technology equipment for programs authorized by this part; and

[(5) such other activities authorized by this title as may be essential to the successful establishment and operation of programs and projects authorized by this part, including activities and related services to ensure access of women, minorities, the handicapped, and the economically disadvantaged.

[(b) In approving programs and projects assisted under this part, the State board shall give special consideration to—

[(1) the level and degree of business and industry participation in the development and operation of the program;

[(2) the current and projected demand within the State or relevant labor market area for workers with the level and type of skills the program is designed to produce;

[(3) the overall quality of the proposal, with particular emphasis on the probability of successful completion of the program by prospective trainees and the capability of the eligible recipient (with assistance from participating business or industry) to provide high quality training for skilled workers and technicians in high technology; and

[(4) the commitment to serve all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged (as demonstrated by special efforts to provide outreach, information, and counseling, and by the provision of remedial instruction and other assistance).

[(c) Expenditures for administrative costs pu suant to subsection (a)(1) may not exceed 10 per centum of the State's allotment for this part in the first year and 5 per centum of such allotment in each subsequent year.

[(d)(1) Funds made available pursuant to section 3(b)(5)(B) of this Act may be used, in accordance with this part, to provide vocational education to individuals in order to assist their entry into, or advancement in, high technology occupations or to meet the technological needs of other industries or businesses.

[(2) Special consideration shall be given to individuals described in paragraph (1) who have attained 55 years of age.]

PART F—SUPPLEMENTARY GRANTS

SUPPLEMENTARY GRANTS

SEC. 351. (a) The Secretary of Education shall allocate funds available under this section among the States according to each State's share of allocations under section 1006 of the Elementary and Secondary Education Act of 1965 to make supplementary grants to needy areas.

(b) There are authorized to be appropriated $100,000,000 in fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994 and 1995 to carry out the provisions of this section.

TITLE IV—NATIONAL PROGRAMS

PART A—RESEARCH

RESEARCH OBJECTIVES

SEC. 401. * * *

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[NATIONAL ASSESSMENT OF VOCATIONAL EDUCATION PROGRAMS ASSISTED UNDER THIS ACT

[SEC. 403. (a) The Secretary shall conduct a national assessment of vocational education assisted under this Act, through independent studies and analysis by the National Institute of Education. The assessment shall include descriptions and evaluations of—

[(1) the vocational education activities and services delivered to the individuals who benefit from vocational education activities and services assisted under this Act, including the expansion of access to quality vocational education for individuals described in section 201(b) and adults;

[(2) the impact of this Act in modernizing the Nation's vocational system and expanding its capacity to meet the changing needs of the workplace;

[(3) the resources needed to meet adequately the Nation's job training needs;

[(4) the coordination of vocational education programs with employment training and economic development among the States;

[(5) the impact of vocational education programs on the achievement of academic skills and employment opportunities of students;

[(6) the coordination of vocational education and postsecondary programing for handicapped and disadvantaged individuals;

[(7) the skill and competency levels developed by States pursuant to section 113(b);

[(8) the effectiveness of vocational education programs and services for individuals of limited English proficiency; and

[(9) the effectiveness of bilingual vocational training, including bilingual vocational instructor training, to address the unmet needs of individuals of limited English proficiency.

The National Institute of Education shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required by this section. The National Institute of Education shall report to Congress the preliminary results of the assessment required by this section in January and July of 1988, and a final report shall be prepared and submitted to the Congress not later than January 1, 1989.

[(b) The Secretary shall conduct an analysis of State plans and of the findings of evaluations conducted pursuant to section 113(b) and make suggestions to State boards for improvements in planning or program operation.

[(c) Notwithstanding any other provision of law or regulation, such reports shall not be subject to any review outside of the National Institute of Education before their transmittal to the Congress, but the President and the Secretary may make such additional recommendations to the Congress with respect to the assessment as they deem appropriate.

[(d) Not more than 20 poercent of the amounts available under this part in any fiscal year may be expended to carry out the assessment authorized by this section.

NATIONAL ASSESSMENT OF VOCATIONAL EDUCATION

SEC. 403. (a)(1) The Secretary shall conduct a national assessment of vocational education programs assisted under this Act, through studies and analyses conducted independently through competitive awards.

(2) The Secretary shall appoint an independent advisory panel, consisting of vocational education administrators, educators, researchers, representatives of business and industry, and other relevant groups, to advise the Secretary on the implementation of such assessment, including the issues to be addressed, the methodology of the studies, and the findings and recommendations. The panel, at its discretion, may submit to the Congress an independent analysis of the findings and recommendations of the assessment. The application of the Federal Advisory Committee Act is waived for the provisions of this paragraph.

(b) The assessment required under subsection (a) shall include descriptions and evaluations of—

(1) the effect of this Act on State administration of vocational education programs and on local vocational education practices, including the capacity of State and local vocational education systems to address the priorities identified in this Act;

(2) expenditures at the Federal, State, and local levels to address program improvement in vocational education, including the impact of Federal allocation requirements (such as within-State allocation formulas) on the delivery of services;

(3) preparation and qualifications of teachers of vocational and academic curricula and vocational education programs, as well as shortages of these teachers;

(4) participation in vocational edcuation programs, including, in particular, access of special populations identified in this Act to high-quality vocational education programs and the impact, on the delivery of services to these populations, of Federal legislation giving States flexibility in allocating funds to serve these populations;

(5) academic and employment outcomes of vocational education, including analyses of—

(A) the impact of educational reform on vocational education;

(B) the extent and success of integration of academic and vocational curricula;

(C) the success of the school-to-work transition; and

(D) the degree to which vocational training is relevant to subsequent employment;

(6) employer involvement in, and satisfaction with, vocational education programs;

(7) the impact of performance standards and other measures of accountability on the delivery of vocational education services;

(8) the impact of Federal requirements regarding criteria for services to special populations identified in this Act, participatory planning in the States, and articulation between secondary and postsecondary programs; and

(9) coordination of services under this Act, the Adult Education Act, the Family Support Act of 1988, the Job Training Program Act, the National Apprenticeship Act, the Rehabiliation Act of 1973, and the Wagner-Peyser Act.

(c) The Secretary shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required under subsection (a). The Secretary shall submit an interim report no later than January 1, 1994, to the Congress. The Secretary shall submit a final report, summarizing all studies and analyses completed after the assessment, to the Congress not later than July 1, 1994. Notwithstanding any other provision of law or regulation, such reports shall, not be subject to any review outside of the National Institute of Education before their transmittal to the Congress, but the President and the Secretary may make such additional recommendations to the Congress with respect to the assessement as they deem appropriate.

(d) There is authorized to be appropriated $3,000,000 for each of fiscal year 1991 and 1993 to carry out the provisions of this section. Such funds shall remain available until expended.

NATIONAL CENTER FOR RESEARCH IN VOCATIONAL EDUCATION

[SEC. 404 (a)(1) The National Center for Research in Vocational Education established pursuant to this Act (hereinafter in this section referred to as the "National Center") shall continue to be operated with funds made available under this Act.

[(2) The Secretary shall provide support for the National Center through an annual grant for its operation. The National Center shall be a nonprofit entity associated with a public or private nonprofit university which is prepared to make a substantial financial contribution toward its establishment. The Secretary shall, on the basis of solicited applications, designate the entity to be the National Center once every five years, acting with the advice of a panel composed of individuals appointed by the Secretary who are not Federal employees and who are recognized nationally as experts in vocational education administration and research.

[(3) The National Center shall have a Director, appointed by the university with which it is associated, and shall be assisted by the advisory committee under subsection (c).

[(b) The National Center shall have as its primary purposes the design and conduct of research and developmental projects and programs, including longitudinal studies, which extend over a period of years (with such supplementary and short-term activities through other grants and contracts as the Director may choose to

undertake consistent with the purpose of this Act). Such projects, programs, and activities shall be conducted by the National Center directly and through subcontracts (subject to the availability of appropriations therefor) with other public agencies and public or private institutions of higher education. The National Center shall—

[(1) conduct applied research and development on—

[(A) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in nontraditional fields, adults, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

[(B) the constructive involvement of the private sector in public vocational education;

[(C) successful methods of reinforcing and enhancing basic academic skills in vocational settings;

[(D) the development of curriculum materials and instructional methods relating to new and emerging technologies, and assessments of the nature of change in the workplace and its effect on individual jobs; and

[(E) the identification of institutional characteristics which improve the preparation of youth and adults for employment;

[(2) provide leadership development through an advanced study center and inservice education activities for State and local leaders in vocational education;

[(3) disseminate the results of the research and development projects funded by the Center;

[(4) develop and provide information to facilitate national planning and policy development in vocational education;

[(5) provide technical assistance to programs serving special populations, including the handicapped and individuals with limited English proficiency;

[(6) act as a clearinghouse for information on contracts or grants made by the States to carry out research, curriculum, and personnel development activities and on contracts or grants made by the Secretary pursuant to this title;

[(7) work with States, local educational agencies, and other public agencies in developing methods of planning and evaluating programs, including the followup studies of individuals who complete the program so that such agencies can offer vocational education programs which are more closely related to the types of jobs available in their communities, States, and regions; and

[(8) after consultation with the National Commission for Employment Policy, report annually to the Congress, the Secretary of Education, and the Secretary of Labor on the extent, efficiency, and effectiveness of joint planning and coordination under this Act and the Job Training Partnership Act.

[(c) The Secretary shall appoint an advisory committee which shall advise the Secretary and the Director with respect to policy issues in the administration of the National Center and in the selection and conduct of major research and demonstration projects and activities of the National Center. The advisory committee shall

meet at the call of the Secretary at least three times annually at the site of the National Center. The advisory committee shall consist of not more than twelve members, who shall not be employees of the Federal Government, who shall include—

[(1) two members designated by the university with which the National Center is associated;

[(2) at least one member selected from individuals nominated by national organizations representing State and local education administrators and teachers;

[(3) one member who is an individual recognized nationally for work in the field of vocational education research;

[(4) one member who is the owner, chief executive officer, or senior manager of a private business or industry which employs skilled workers and technicians in high-technology occupations;

[(5) one member who is an individual recognized nationally for work in the field of labor market economics;

[(6) one member who is recognized nationally for work in curriculum in vocational education;

[(7) one member who represents organized labor;

[(8) one member who is an individual recognized nationally for work with individuals with limited English proficiency in the field of vocational education;

[(9) one member who is an individual recognized nationally for work in guidance and counseling in the field of vocational education; and

[(10) one member who is an individual recognized nationally for work with the handicapped in the field of vocational education.

SEC. 404. (a) The Office of Educational Research and Improvement shall contract for the establishment and operation of 3 or more vocational education research centers, of which 1 shall be a research center on Native Americans.

(b) The Secretary shall continue to honor the provisions of the grant award to the National Center for Research in Vocational Education located in Berkeley, California, through December 31, 1992.

(c) The Secretary shall establish an educational research center to conduct research on the educational participation, needs and performance of Native Americans. The Center shall consider teaching and learning for Native American students from childhood through adulthood. Specific priorities shall include, but not be limited to—

(1) early childhood education;

(2) home, family, and cultural influences on education;

(3) vocational education and training; and

(4) participation in postsecondary education, especialy the factors that limit participation of Native Americans.

STUDY OF CARL D. PERKINS VOCATIONAL EDUCATION ACT FORMULA

SEC. 405. (a) The Secretary shall, through grant or contract conduct a study of the distribution of Federal vocational education funds to the States. The study shall consider the distributional effects of the within State allocation formula set forth in section 102

including the age of cohorts and the per capita income allotment ratios and shall also examine the impact that various other factors such as State tax capacity, tax effort, per capita income, poverty and educational achievement, could have in achieving the Federal goals and policy objectives of this Act. The study shall specifically address the appropriate distribution mechanism to serve the target populations of the Act.

(b) The study shall explore the use of other possible methods of targeting funds to special populations of the Act, particularly the economically disadvantaged, including but not limited to the poverty rate of the school-aged population, the gross State product per school-aged child, relative tax capacity, and tax effort of the State, unemployment figures, and dropout rates.

(c) The findings of the study shall be used to formulate recommendations on the most appropriate criteria and methods to direct Federal funds to the States and to achieve the Federal goals and policy objectives of this Act.

(d) The study required under subsection (a) shall be completed by January 1, 1994.

[PART B—DEMONSTRATION PROGRAMS

[Subpart 1—Cooperative Demonstration Programs

[PROGRAM AUTHORIZED

[SEC. 411. (a) From the amounts available for this part under section 451 for each fiscal year, the Secretary is authorized to carry out, directly or through grants to or contracts with State and local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies, organizations, and institutions, programs and projects which support—

[(1) model programs providig improved access to quality vocational educational education programs for those individuals described in section 201(b) of this Act and for men and women seeking nontraditional occupations;

[(2) examples of successful cooperation between the private sector and public agencies in vocational education, involving employers or consortia of employers or labor organizations and building trade councils, and State boards or eligible recipients designed to demonstrate ways in which vocational education and the private sector of the economy can work together effectively to assist vocational education students to attain the advanced level of skills needed to make the transition from school to productive employment, including—

[(A) work experience and apprentice programs;

[(B) transitional worksite job training for vocational education students which is related to their occupational goals and closely linked to classroom and laboratory instruction provided by an eligible recipient;

[(C) placement services in occupations which the students are preparing to enter; and

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[(D) where practical, projects (such as the rehabilitation of public schools or housing in inner cities or economically depressed rural areas) that will benefit the public;

[(3) programs to overcome national skill shortages, as designated by the Secretary in cooperation with the Secretary of Labor, Secretary of Defense, and Secretary of Commerce; and

[(4) such other activities which the Secretary may designate which are related to the purpose of this Act.

[(b)(1) Projects described in clause (2) of subsection (a) may include institutional and on-the-job training, supportive services authorized by this Act, and such other necessary assistance as the Secretary determines to be necessary for the successful completion of the project.

[(2) Not less than 25 percent of the cost of the demonstration programs authorized by this subpart shall be provided by the recipient of the grant or contract, and such share may be in the form of cash or in-kind contributions, including facilities, overhead, personnel, and equipment fairly valued.

[(c) All programs assisted under this section shall be—

[(1) of direct service to individuals enrolled in such programs; and

[(2) capable of wide replication by service providers.

[(d) The Secretary shall disseminate the results of the programs and projects assisted under this section in a manner designed to improve the training of teachers, other instructional personnel, counsellors, and administrators who are needed to carry out the purposes of this Act.

[(e) Not later than one year after the date of enactment of the Carl D. Perkins Vocational Education Act, the Secretary of Labor and the Secretary of Education shall develop and implement a plan for greater coordination between vocational education programs and apprenticeship training programs. Linkages between such programs shall be established relating to apprentice-school programs, and preapprenticeship programs, and program evaluation and performance standards (particularly with respect to apprenticeship training and programs of related instruction). The Secretaries shall establish such other collaborative and cooperative efforts as are considered feasible and appropriate.

PART B—DEMONSTRATION PROGRAMS

PROGRAMS AUTHORIZED

SEC. 411. (a) From amounts available pursuant to section 101(a)(1)(A) in each fiscal year the Secretary shall reserve—

(1) 5 percent for demonstration programs in accordance with the provisions of section 416; and

(2) 20 percent for demonstration programs in accordance with the provisions of section 419;

(b) From the remainder of funds available under section 101(a)(1)(A), the Secretary shall make demonstration grants in accordance with the provisions of this part.

DEMONSTRATION PROJECTS FOR THE INTEGRATION OF VOCATIONAL AND ACADEMIC LEARNING

SEC. 412. (a) The Secretary is authorized to make grants to institutions of higher education, area vocational schools, local educational agencies, State boards, public or private nonprofit organizations, or any consortia thereof, to develop, implement and operate programs using different models of curricula which integrate vocational and academic learning by—

(1) designing integrated curricula and courses;

(2) providing inservice training for teachers and administrators in integrated curricula; and

(3) disseminating information regarding effective integrative strategies to other school districts through the National Diffusion Network;

(b) In awarding grants under this section, the Secretary shall ensure—

(1) an equitable geographic distribution of funds awarded pursuant to this section;

(2) that programs supported under this section offer significantly different approaches to integrating curricula;

(3) that the programs supported under this section serve special populations;

(4) that programs supported under this section serve vocational students in secondary schools, at postsecondary institutions, individuals enrolled in adult programs, and programs for single parents, homemakers, and single pregnant women; and

(5) that adequate evaluation measues will be employed to measure the effectiveness of the curriculum approaches supported under this section.

[Subpart 2—State Equipment Pools

[PROGRAM AUTHORIZED

[SEC. 413. From funds made available to carry out this subpart, the Secretary shall develop and implement a program of competitive grants to State boards for the operation of State programs involving the loan of high-technology, state-of-the-art equipment to eligible recipients for use in local vocational education programs. The Secretary shall determine the appropriate amount of any grant. No State may qualify for more than two consectutive years for a grant under this subpart.]

BUSINESS AND INDUSTRY PARTNERSHIPS

SEC. 413. (a) The Secretary is authorized to make grants to partnerships among—

(1) an area vocational school, a State agency, a local educational agency, an institution of higher education, or an adult learning center; and

(2) business and industry, or apprenticeship programs.

(b) Grants awarded under this section may be used to—

(1) increase the access to, and quality of, programs for special populations described in section 223;

(2) strengthen coordiation between vocational education programs, and the labor and skills needs of business and industry;

(3) address the econommic development needs of the area served by the partnership;

(4) provide training that will enable workers to retain their jobs;

(5) provide training that will enable workers to upgrade their jobs; and

(6) address the needs of new and emerging industries, particularly those in high-technology fields.

(c)(1) In awarding grants under this section, the Secretary shall give priority to partnerships whose programs provide job training in areas or skills where there are significant labor shortages.

(2) In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution of funds awarded pursuant to this section.

MODEL PROGRAMS OF REGIONAL TRAINING FOR SKILLED TRADES

SEC. 414. (a) The Secretary is authorized to make grants to regional model centers which provide—

(1) training for skilled tradesmen within a region serving several States, and

(2) technical assistance for programs which train such tradesmen within a region serving serval States.

(b) The regional model centers established pursuant to subsection (a) shall—

(1) provide training for skilled tradesmen in areas of skill shortages or projected skilled shortages;

(2) provide pre-job and apprenticeship training in skilled trades;

(3) upgrade specialized craft training; and

(4) improve the access of women, minorities, the economically disadvantaged, and individuals with disabilities to trade occupations and training.

(c) In awarding grants under this section, and to the extent practicable, the Secretary shall ensure an equitable distribution of funds available under this section to the various skilled trades.

[Subpart 3—Demonstration Centers for the Retraining of Dislocated Workers

[PROGRAM AUTHORIZED

[SEC. 415. The Secretary shall establish one or more demonstration centers for the retraining of dislocated workers in order to demonstrate the application of general theories of vocational education to the specific problems of retraining displaced workers.]

BLUE RIBBON VOCATIONAL EDUCATION PROGRAMS

SEC. 415. (a) The Secretary shall disseminate information and exemplary materials regarding effective vocational education.

(b) The Secretary shall, in consultation with the National Centers for Research in Vocational Education (hereafter in this section referred to as the "National Centers for Research"), the National Dif-

fusion Network, and the Blue Ribbon Schools Program, carry out programs to recognize secondary and postsecondary schools or programs which have established standards of excellence in vocational education and which have demonstrated a high level of quality, to be known as "Blue Ribbon Vocational Programs". The Secretary shall competitively select schools and programs to be recognized from among public and private schools or programs within the States and schools operated for Indian children by the Department of the Interior.

(c)(1) The Secretary, in consultation with the National Centers for Research and the National Occupational Information Coordinating Committee (hereafter in this section referred to as the "Committee"), shall designate each fiscal year several categories of vocational education, including technology preparation education, in which Blue Ribbon Applied Technology Education Program will be named. Such categories shall include participation of special populations and may include any of the following:

(A) program improvement;

(B) academic and occupational competencies; and

(C) other categories determined by the Secretary in consultation with the National Centers for Research and the Committee.

(2) Within each category, the Secretary shall determine the criteria and procedures for selection. Selection for such awards shall be based solely on merits. Schools or programs selected for awards under this section shall not be required to be representative of the States.

(d)(1) The Secretary shall carry out the provisions of this section, including the establishment of the selection procedures, after consultation with appropriate outside parties.

(2) No award may be made under this section unless the local education agency, area vocational school, intermediate educational agency, or appropriate State agency with jurisdiction over the school or program involved submits an application to the Secretary at such time, in such manner and containing such information as the Secretary may reasonably require.

MATERIALS DEVELOPMENT IN TELECOMMUNICATIONS

SEC. 416. (a) From amounts reserved under section 411(a)(1) the Secretary is authorized to make grants to nonprofit educational telecommunications entities to pay the Federal share of the costs of the development, production, and distribution of instructional telecommunications materials and services for use in local vocational and technical educational schools and colleges.

(b)(1) The Federal share shall be 50 percent.

(2) The non-Federal share of the costs of programs assisted under this part shall be provided from non-Federal sources.

(c) Grants awarded pursuant to this section may be used to provide—

(1) a sequential course of study that includes either preproduced video courseware or direct interactive teaching delivered via satellite, accompanied by a variety of print and computer-based instructional materials;

(2) the development of individual videocassettes or a series of videocassettes that supplement instruction, distributed both via broadcast and nonbroadcast means;

(3) videodiscs that produce simulated hands-on training; and

(4) teacher training programs for vocational educators and administrators.

(d) In awarding grants under this section the Secretary shall give priority to programs or projects which serve—

(1) out of school adults in need of basic skills improvement or a high school equivalency diploma to improve such individual's employability;

(2) college students, particularly those working toward a 2-year associate degree from a technical or community college;

(3) workers in need of basic skills or vocational instruction to retain employment;

(4) workers who need to upgrade their skills to obtain jobs in high growth industries.

[Subpart 4—Model Centers for Vocational Education for Older Individuals

[PROGRAM AUTHORIZED

[SEC. 417. (a) The Secretary shall establish a grant program to establish and operate model centers to focus greater attention on the special vocational education needs of older individuals and to promote employment opportunities for older individuals in accordance with this subpart.

[(b) Any center established and operated by an eligible recipient under this suppart shall—

[(1) provide training or retraining to update older individuals' skills, prepare such individuals for new careers when their skills have been rendered obsolete by technological advances, and promote employment through training or retraining in areas of job potential in growth industries utilizing new technologies;

[(2) provide assistance for later-life career changes, with special emphasis on the needs of older individuals who are displaced homemakers;

[(3) provide information, counseling, and support services to assist older individuals in obtaining employment;

[(4) encourage providers of vocational education, including community colleges and technical schools, to offer more job training opportunities targeted to or easily accessible to older individuals; and

[(5) promote training of paraprofessionals in gerontology and geriatrics.

[(c) The Secretary shall establish and operate a national clearinghouse within the Department of Education to provide State and local governments, and interested organizations and individuals with information concerning certers established under this subpart and their programs.

[(d) For purposes of this subpart, the term "older individual" means an individual fifty-five years of age or older.]

PROFESSIONAL DEVELOPMENT

SEC. 417. (a) From sums available for this title, the Secretary shall provide, through grants to institutions of higher education or State educational agencies, opportunities for teacher education and professional development.

(b) Grants awarded pursuant to this section shall be used for—

(1) leadership development stipends for experienced vocational educators to participate in advanced study of vocational education;

(2) teacher education fellowships for individuals who are—

(A) currently employed in vocational education who need to update or maintain currency in their technological skills;

(B) employed in agriculture, business, or industry who have skills and experiences in vocational fields for which there is a need for vocational educators; or

(C) certified teachers with skills related to vocational fields who can be trained as vocational educators, especially minority instructors and those with experience in teaching the economically disadvantaged, individuals with disabilities, students with limited English proficiency, and criminal and juvenile offenders; and

(3) internships for gifted and talented vocational education students to intern in related Federal and State agencies, vocational education research centers, or recognized vocational education associations.

(c) In carrying out this section, the Secretary shall, based on information form the National Occupation Information Coordinating Committee and other appropriate sources, publish a listing of—

(1) the areas of vocational education which are in need of additional personnel; and

(2) the areas of teaching in which technological upgrading may be especially critical.

EDUCATIONAL PROGRAMS FOR FEDERAL CORRECTIONAL INSTITUTIONS

SEC. 418. (a) The Secretary is authorized to make grants to Federal correctional institutions in consortia with educational institutions, community-based organizations of demonstrated effectiveness, or the private sector, to provide education and training for criminal offenders in such institutions.

(b) Grants awarded pursuant to this seciton may be used for—

(1) basic education programs with an emphasis on literacy instruction;

(2) vocational training programs;

(3) guidance and counseling programs; and

(4) supportive services for criminal offenders, with special emphasis on the coordination of educational services with agencies furnishing services to criminal offenders after such offenders release.

VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS

SEC. 419. (a) From amounts reserved under section 411(a)(2) the Secretary is authorized to make grants to local schools to establish and operate vocational education lighthouse schools.

(b) Grants awarded under this subsection shall be used to establish vocational education lighthouse schools which—

(1) serve as a model vocational education program—

(A) to provide each student with the knowledge and experience in all aspects of the industry or enterprise the student is preparing to enter;

(B) to provide each student with basic and higher order skills and develop problem solving abilities in the vocational setting;

(C) to offer exceptionally high quality programs for disadvantaged and minority students;

(D) to provide the special services and modifications necessary to help individual students successfully complete the program;

(E) which is planned, developed and implemented with the participation of staff, local employees and local community; and

(F) which offers a full range of programs for students who plan to seek employment upon graduation or who will enroll in a 2- or 4-year college;

(2) provide information and assistance to other grant recipients, vocational programs, vocational education personnel, parents, students, other educators, community members and community organizations throughout the State regarding—

(A) curriculum materials;

(B) curriculum development, especially the integration of vocational and academic education;

(C) inservice and preservice staff development, training and assistance, through off-site activities and through a range of short-term and long-term opportunities to participate in activities at the demonstration site;

(D) opportunities to systematically observe the model program; and

(E) other technical assistance and staff development as appropriate.

(3) use funds received under this section, together with funds from non-Federal sources, to develop and implement model programs containing the elements described in paragraph (1);

(4) develop comprehensive linkages with other local schools, community colleges, 4-year colleges, private vocational schools, community organizations, labor unions, employers, and other business groups, as appropriate; and

(5) develop and disseminate model approaches—

(A) for meeting the education and training needs of minority, disadvantaged, disabled, and limited English-proficient students, and

(B) to reduce and eliminate sex bias and stereotyping.

CAREER AND GUIDANCE COUNSELING PROGRAMS

SEC. 420. (a) The Secretary is authorized to make grants to any State board for programs (organized and administered by certified counselors) designed to improve, expand, and extend career guidance and counseling programs, to meet the career development, vocational education, and employment needs of vocational education students and potential vocational education students. Such program shall be designed to assist individuals to—

(1) acquire self-assessment, career planning, career decision-making, and employability skills;

(2) make the transition from education and training to work;

(3) maintain marketability of current job skills in established occupations;

(4) develop new skills to move away from declining occupational fields and enter new and emerging fields in high-technology areas and fields experiencing skill shortages;

(5) develop midcareer job search skills and to clarify career goals; and

(6) obtain and use information on financial assistance for postsecondary and vocational education and job training.

(b) The programs authorized by this section shall include services and activities to ensure the quality and effectiveness of career guidance and counseling, including, but not limited to career information delivery system development and implementation, and the establishment of student/client outcome standards against which the effectiveness of future career guidance and counseling programs can be measured.

[PART C—VOCATIONAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SYSTEMS

[DATA SYSTEMS AUTHORIZED

[SEC. 421. (a)(1) The Secretary shall develop, within the National Center for Education Statistics, a national vocational education data reporting and accounting system using uniform definitions. The system required by this section shall include information on vocational education—

[(A) students (including information concerning race, sex, and handicapping condition),

[(B) programs,

[(C) program completers and leavers,

[(D) placement and followup,

[(E) staff,

[(F) facilities, and

[(G) expenditures in relation to the principal purposes of this Act.

Such information shall include the participation of special populations, including women, the disadvantaged, the handicapped, individuals of limited English proficiency, and minorities.

[(2) The Secretary shall take such action as may be necessary to secure the data required by this section at reasonable cost. The Secretary, in consultation with the Congress, shall determine the number and types of vocational education institutions to be sam-

pled, the methodology to be used, group sample sizes, appropriate breakdown analyses of such groups, and the freqency with which such studies under this section are to be conducted.

[(b)(1) In maintaining and updating such system, the Secretary shall endeavor to the fullest extent feasible to make the system compatible with the occupational information system (established pursuant to section 422), with the vocational education data system authorized under section 161(a) of the Vocational Education Act of 1963, and with other systems developed or assisted under the Job Training Partnership Act and with information collected pursuant to the Education of the Handicapped Act.

[(2) Any State receiving assistance under this Act shall cooperate with the Secretary in supplying the information required to be submitted by the Secretary and shall comply in its reports with the vocational education data system developed by the Secretary pursuant to subsection (a). Each State shall submit the data required to carry out this subsection to the Secretary in whatever form the Secretary requires.

[(3) The Secretary shall every 2 years update the national vocational education information and accounting system and prepare acquisition plans of data for operating the system. In carrying out the requirements under this paragraph, the Secretary shall use scientific sample surveys for the information required, except that the information required with respect to handicapped students shall be furnished in accordance with section 423 of this Act.

[(4) The Secretary may conduct special studies on enrollment of disadvantaged students in vocational education programs, on the participation of handicapped students in vocational education programs, and any other similar subjects which the Secretary deems appropriate.

[(c) In carrying out the responsibilities imposed by this section, the Secretary shall cooperate with the Secretary of Labor in implementing section 463 of the Job Training Partnership Act to ensure that the data system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance.]

DATA SYSTEMS AUTHORIZED

SEC. 421. (a)(1) The Secretary shall, directly, or by grant, contract or cooperative agreement, implement and develop a vocational educational data system (hereafter in this section referred to as the "system") using comparative information elements and uniform definitions, to the extent practicable.

(2) The Secretary shall establish the system not later than 6 months after the enactment of this Act.

(3) The National Center for Education Statistics (hereafter in this section referred to as the "National Center") shall coordinate the development and implementation of the system.

(b) Through the system, the Secretary shall collect and analyze data in order to provide—

(1) the Congress with information relevant to policy making, and

(2) Federal, State and local agencies with information relevant to program management, administration and effectiveness with respect to education and employment opportunities.

(c)(1)(A) The system shall include information—

(i) describing the major elements of the vocational education system on at least a national basis including information with respect to teachers, administrators, students, programs, and to the extent practicable, facilities and equipment; and

(ii) describing the condition of vocational education with respect to the elements described in clause (i).

(B) The information described in subparagraph (A) shall be provided, to the extent practicable, in the context of the other educational data relating to the condition of the overall education system.

(C) The Secretary, in consultation with the Task Force, the National Center, and the Office of Adult and Vocational Education (hereafter in this section referred to as the "Office"), shall modify existing general purpose and program data systems to ensure that an appropriate vocational education component is included in their design, implementation and reporting in order to fulfill the information requirements of this section.

(2) The information system shall include data reflecting the extent of participation of the following populations:

(A) economically disadvantaged students (including information on students in rural and urban areas);

(B) individuals with disabilities;

(C) individuals of limited English proficiency;

(D) individuals who participate in programs designed to eliminate gender bias and sex sterotyping in vocational education;

(E) adults who are in need of training and retraining;

(F) youths incarcerated in juvenile detention or correctional facilities or criminal offenders who are serving time in correctional institutions;

(G) single parents and displaced homemakers; and

(H) minorities.

(3) The Secretary, through the National Center and the Office, shall maintain and update the system at least every 3 years and ensure that the system provides the highest quality statistics and is adequate to meet the vocational education information needs of this Act. In carrying out the requirements of this paragraph, the Secretary shall ensure that appropriate methodologies are used in assessments of students of limited English proficiency and students with handicaps to ensure valid and reliable comparisons with the general student population and across program areas. With respect to standardized tests and assessments administered under this Act, test results shall be used as 1 of multiple independent indicators in assessment of performance and achievement.

(d) The Center shall carry out an assessment of data availability and adequacy with respect to international competitiveness in vocational skills. To the extent practicable, the assessment shall include comparative policy-relevant data on vocational education in nations that are major trade partners of the United States. The assessment shall at a minimum identify available internationally comparative data on vocational education and options for obtaining and upgrad-

ing such data. The results of the assessment required by this paragraph shall be reported to the appropriate committees of the Congress not later than August 31, 1994.

(e)(1) In establishing, maintaining, and updating the system, the Secretary shall—

(A) use existing data collection systems operated by the Secretary and, to the extent appropriate, data collection systems operated by other Federal agencies;

(B) conduct additional data collection efforts to augment the data collection systems described in subparagraph (A) by providing information necessary for policy analysis required by this section; and

(C) use any independent data collection efforts that are complementary to the data collection efforts described in subparagraphs (A) and (B).

(2) In carrying out the responsibilities imposed by this part, the Secretary shall cooperate with the Secretary of Commerce, the Secretary of Labor, and the National Occupational Information Coordinating Committee established under section 422 of this Act with respect to the development of an information system under section 463 of the Job Training Partnership Act to ensure that the information system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance. The Secretary shall also ensure that, to the extent feasible, the system allows international comparisons.

(3) The Secretary shall ensure that the system, to the extent practicable, uses data definitions common to State plans, performance evaluations, and other evaluations required by this Act. The data in the system shall be available for use in preparing such plans, standards, applications, and evaluations.

(f) The Secretary shall report to the Congress at least biennially with respect to—

(1) the performance of the system established under subsection (a); and

(2) strategies to improve the system and expand its implementation.

(g)(1) The Secretary, in consultation with the National Center and the Office, shall convene a vocational education data task force (hereafter in this section referred to as the "Task Force").

(2) The Secretary shall establish the Task Force before the expiration of the 90-day period beginning on the date of the enactment of this Act, and shall terminate upon the expiration of the 2-year period beginning on such date.

(3) The Task Force shall advise the Secretary on the development and implementation of an information reporting the accounting system responsive to the diverse programs supported by this Act.

(4) The membership of the Task Force shall be representative of Federal, State, and local agencies affected by technological information, represenatives of secondary and postsecondary vocational institutions, representatives of vocational education student organizations, representatives of special populations, representatives of adult training programs funded under this Act, and representatives of apprenticeships, business, and industry.

(5) The National Center shall provide the Task Force with staff for the purpose of carrying out its functions.

(h) As a regular part of its assessments, the National Assessment of Educational Progress shall collect and report information for at least a nationally scientific subsample of applied technology education students, including students who are members of special populations, which shall allow for fair and accurate assessment and comparison of the educational achievement of applied technology students and other students in the aras assessed. Such assessment may include international comparisons.

(i) Of the amounts available pursuant to section 3(e) for any fiscal year for this part, there shall be available not less than $1,000,000 to carry out the purposes of this section.

[OCCUPATIONAL INFORMATION SYSTEM]

NATIONAL OCCUPATIONAL INFORMATION COODRINATING COMMITTEE

SEC. 422. (a) There is established a National Occupational Information Coordinating Committee *(hereafter in this section referred to as the "Committee")* which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitative Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs *the Assistant Secretary for Post Secondary Education,* and the Administrator of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Emplpoyment and Training of the Department of Labor, the Undersecretary for Small Community and Rural Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense **[**(Manpower, Reserve Affairs, and Logistics).**]** *(Force Management and Prsonnel).* The Committee, with funds available to it under section 451, shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall—

* * * * * * *

(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications *including regularly updated data on employment demand for agribusiness*;

(3) **[**conduct studies on**]** *conduct studies to improve the quality and delivery of occupational information systems to assist economic development activities, and examine* the effects of technological change on new and existing occupational areas and the required changes in knowledge and job skills; **[**and**]**

(4) continue training, technical assistance activities to support comprehensive career guidance, and applied technology counseling programs designed to promote improved career decisionmak-

ing by individuals (especially in areas of career information delivery and use);

(5) coordinate the efforts of Federal, State, and local agencies with respect to such programs; and

[(4)]*(6)* assist State occupational information coordinating committees established pursuant to subsection (b).

(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

(A) implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this Act and of the administering agencies under the Job Training Partnership Act; and

(B) use the occupational information system to implement a career information delivery system.

(c) LONGITUDINAL OCCUPATIONAL INFORMATION DEMONSTRATION PROGRAM.—

(1) The Committee in consultation with the National Center for Research in Vocational Education, appropriate Federal agencies, and the States, shall establish a demonstration program to monitor educational outcomes for applied technology education using wage and other records. The Committee shall develop procedures for establishing and maintaining nationally accessible information on a sample of wage and earning records maintaining by States on earnings, establishment and industry affiliation and geographical location, and on educational activities. This information shall be collected on at least an annual basis. The program shall ensure that a scientific sample of applied technology education students and nonapplied technology education students, local educational agencies, and States participate in the program. The Committee shall maintain, analyze, and report data collected under the program and shall provide technical assistance to States, local educational agencies, and others that wish to participate in the study.

(2) The program shall provide for an independent evaluation conducted by the Office of Technological Assessment to assess the validity, fairness, accuracy, and utility of the data it produces. The report shall also describe the technical problems encountered and a description of what was learned about how to best implement and utilize data from the program.

(3) The Executive Director of the Committee, in consulation with the Secretary, shall ensure that all personally identifiable information about students, their educational performance and their families and information with respect to individual schools shall remain confidential in accordance with the provisions of section 552 of title 5, United States Code. The data gathered under this subsection shall not be used to rank, compare, or otherwise evaluate individual students or individual

schools. No individual may be included in the program without that individual's written consent. At least once every 3 years the Secretary shall remind participants in writing of their inclusion in the program.

(d) AVAILABILITY OF AMOUNTS.—Of the amounts available pursuant to section 3(e) for each fiscal year for this part, there shall be available in each fiscal year not less than $6,000,000 to carry out the provisions of this section. Of such amounts, the Committee shall use—

(1) to support State occupational information coordinating committees for purposes of operating State occupational information systems and career information delivery systems, the greater of—

(A) amounts appropriated or otherwise made available for that purpose for the fiscal year 1989; and

(B) an amount equal to not less than 75 percent of the amounts available to carry out this section; and

(2) for purposes of carrying out subsection (c)—

(A) an amount equal to not less than 10 percent of the amounts available to carry out this section; or

(B) if the amount remaining after carrying out paragraph (1) is insufficient to provide the amount described in subparagraph (A), such remaining amount.

* * * * * * *

NATIONAL NETWORK FOR CURRICULUM COORDINATION IN VOCATIONAL AND TECHNICAL EDUCATION

SEC. 424. (a) From the sums allocated to carry out this section, the Secretary shall establish through grants or contracts a National Network for Curriculum Coordination in Vocational and Technical Education consisting of six regional curriculum coordination centers. The Network shall encourage the designation of a State liaison representative in each of the States. It shall be the purpose of the Network to—

(1) provide leadership and technical assistance in vocational and technical education curriculum design, development, and dissemination;

(2) coordinate vocational and technical education curriculum information sharing among all the States and territories;

(3) reduce duplication of effort in vocational and technical education curriculum development activities among the States and territories; and

(4) promote the use of vocational and technical education curriculum research findings.

[PART D—NATIONAL COUNCIL ON VOCATIONAL EDUCATION

[COUNCIL ESTABLISHED

[SEC. 431. (a)(1) There is established the National Council on Vocational Education. The Council shall consist of 17 members appointed by the President of whom 9 shall be representative of the private sector.

[(2) The members of the Council shall serve for such terms as the President may prescribe. Members of the Council shall be individuals who are owners, chief executives or chief operating officers of private business concerns, private for profit and nonprofit health and educational institutions and executives of business concerns and business associations who have substantial management and policy responsibility including agriculture, small business, and organized labor, except that at least one member shall be a nonpublic member appointed from among members of the National Commission for Employment Policy established under the Job Training Partnership Act, and at least 3 members shall be individuals with broad experience in education and human resources development.

[(3) The Chairperson of the Council shall be selected by the President. The Council shall meet not fewer than 4 times each year at the call of the Chairperson. A majority of the members of the Council shall constitute a quorum (but a lesser number may conduct hearings on behalf of the Council), and recommendations may be made, or other actions taken, only by a majority of the members present.

[(b) The Council shall advise the President, Congress, and the Secretary on—

[(1) the effectiveness of this Act or its implementation in achieving the stated purposes of this Act and in providing students with skills that meet needs of employers;

[(2) strategies for increasing cooperation between business and vocational education so that training is available for new technologies for which there is a demand;

[(3) practical approaches to retraining adult workers, and to enhancing education, business, and labor cooperation in retraining efforts;

[(4) effective ways of providing access to information regarding the market demand for skills that will enable State and local personnel to develop responsive vocational education curricula;

[(5) the vocational education needs of the handicapped and the level of participation of the handicapped in vocational education programs; and

[(6) the implementation of this Act and the Job Training Partnership Act, and policies needed to expand and improve vocational-technical education programs (and apprenticeship programs) in order to build a coordinated capacity to adequately prepare America's work force for employment.

[(c) Subject to such rules and regulations as may be adopted by the Council, the Chairperson is authorized to—

[(1) prescrive such rules and regulations as may be necessary for conducting the business of the Council;

[(2) appoint and fix the compensation of such personnel as the Chairperson considers necessary (including not to exceed five professional personnel), and appoint (with the approval of the Council) a Director, who shall be the chief executive officer of the Council and perform such duties as are prescribed by the Chairperson;

[(3) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

[(4) accept voluntary and uncompensated services of professional personnel, consultants, and experts, notwithstanding any other provision of the law;

[(5) accept in the name of the United States and employ or dispose of gifts or bequests to carry out the functions of the Council under this section;

[(6) enter into contracts and grants and make such other arrangements and modifications, as may be necessary;

[(7) conduct such hearings, studies, and research activities as the Council deems necessary to enable it to carry out its functions under this section;

[(8) use the services, personnel, facilities, and information of any department, agency, or instrumentality of the executive branch of the Federal Government and the services, personnel, facilities, and information of State and local public agencies and private agencies and organizations, with the consent of such agencies, with or without reimbursement therefor; and

[(9) make advance, progress, and other payments necessary under this section without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529).

[(d) Upon request made by the Chairperson of the Council, each department, agency, and instrumentality of the executive branch of the Federal Government is authorized and directed to make its services, personnel, facilities, and information available to the greatest practicable extent to the Council in the performance of its functions under this section.

[(e) The Council may establish working groups on occupational competencies to provide the Secretary, the President, the Congress, and the States with current information on the types and levels of occupational competencies necessary for entry and sustained productive employment in given jobs or industries, including levels of skills required, and equipment, methods, and facilities needed for the occupation. The Council may establish working groups for the occupations the Council considers important or necessary and may reconstitute such groups as occupational priorities are revised. Members of the working groups shall be appointed by the Council on the advice of national trade and professional associations and labor organizations. Working group members shall be individuals with specific knowledge in the technology and practice of the occupations relevant to the task of the group. The Council may provide the results and recommendations of the working groups to each State council on vocational education and other appropriate State agencies.

[(f) The Council may use funds available for this part to obtain the services of staff specialists for working groups who have demonstrated technical skills and industrial ability in the occupation in question.

[(g) The Council shall make a report of its findings and recommendations to the President, the Congress, and the Secretary every second year, and may make such interim reports and recommendations as the Council may consider desirable. The Council shall include in such reports the manner in which the competency statements provided by the Council have been used by the States. The Council may include in such reports its evaluation of the status,

progress, and needs of vocational education (including recommendations for Federal legislation and appropriations). Each such report shall include any minority, dissenting, or supplementary view submitted by any member of the Council.]

* * * * * * *

PART F—GENERAL PROVISIONS

DISTRIBUTION OF ASSISTANCE

SEC. 451. (a) Subject to the provisions of subsection (b), of the amounts available pursuant to section 3(e) for any fiscal year for this title—

(1) [35 percent] *at least $10,000,000* shall be available for part A, relating to research[,];

(2) [35 percent] *at least $16,000,000* shall be available for part B, relating to demonstration projects; and

(3) [30 percent] *at least $1,000,000* shall be available for part C, relating to vocational education in occupational information data systems.

(b) Not withstanding the provisions of subsection (a)—

[(1) there shall be available in each fiscal year not less than $6,000,000 to carry out the provisions of section 404, relating to the National Center for Research;]

(1) there shall be available in fiscal year 1991 not more than $500,000 to carry out the provisions of section 405, relating to the study of the within State allocation formula set forth in section 102;

(2) there shall be available for each fiscal year not less than [$3,500,000] *$6,000,000* for the purpose of carrying out section 422, relating to the occupational information system; and

[(3) there shall be available in each fiscal year $500,000 for the purpose of carrying out part D, relating to the National Council.]

(3) no less than $950,000 shall be reserved for section 424.

TITLE V—GENERAL PROVISIONS

SEC. 501. * * *

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[FEDERAL SHARE

[SEC. 502. (a) The Federal share for each fiscal year shall not exceed—

[(1) 50 percent of the costs of administration of the State plan;

[(2) 50 percent of the costs of administration of vocational education services and activities of eligible recipients;

[(3)(A) 50 percent of the costs of vocational education services and activities under part A of title II for individuals described in clauses (1), (2), and (3) of section 201(b);

[(B) 100 percent of the costs of vocational education programs, services, and activities under part A of title II for individuals described in clauses (4), (5), and (6) of section 201(b);

[(4) 50 percent of the costs of vocational education improvement, innovation, and expansion programs under part B of title II;

[(5) 100 percent of the costs of the State council under section 112;

[(6) 100 percent of the costs to carry out the provisions of section 111(b)(3); and

[(7) except as otherwise provided, 100 percent of the costs of programs under title III.

[(b) The non-Federal contribution for the costs of vocational education programs, services, and activities for the handicapped and the disadvantaged under part A of title II shall be furnished equitably by the State from State and local sources, except that the non-Federal contributions of such costs shall be furnished by the State from State sources if the State board determines that an eligible recipient cannot reasonably be expected to provide such costs from local sources. The non-Federal contributions for the costs of vocational education programs, services, and activities for the disadvantaged from local sources may be in cash or in kind, fairly valued, including facilities, overhead, personnel, equipment, and services, if the eligible recipient determines that it cannot otherwise provide such contribution.]

CERTIFICATION REQUIREMENTS

SEC. 502. (a) As part of the State application required by section 113, each State board desiring to receive assistance under this Act shall certify that the State board agrees—

(1) to provide assurances that the State board, or local educational agencies within the State, will not engage in discrimination based upon race, religion, color, national origin, sex, or handicap in the hiring, promotion, or assignment of employees of the agencies or other personnel for whom the agencies have any administrative responsibility;

(2) to provide assurances that the State board or the local educational agencies within the State will not engage in discrimination based upon race, religion, color, national origin, sex, or handicap in the enrollment of students in schools or in courses of instruction within schools of such agencies except to carry out the approved plan; and

(3) to provide assurances that the State agency or local educational agencies within the State will not engage in discrimination based upon race, religion, color, national origin, sex, or handicap in designing or operating extracurricular activities for students.

(b) No application may be approved under section 113 unless the Secretary, through the Assistant Secretary of Education for Civil Rights, determines that the assurances described in paragraphs (1), (2), and (3) of subsection (a) will be met.

* * * * * * *

REGIONAL MEETINGS ON REGULATIONS

SEC. 507. (a) The Secretary shall convene regional meetings to obtain public involvement in the development of proposed regulations under the Carl D. Perkins Vocational Education Act Amendments of 1989. Such meetings shall include individuals and groups involved in vocational education programs under this Act, such as Federal, State, and local administrators, parents, teachers, and members of local boards of education.

(b) During each such meeting, the Secretary shall provide for a comprehensive discussion and exchange of information on at least 4 key issues, selected by the Secretary, concerning implementation of the Carl D. Perkins Vocational Education Act Amendments of 1989. The Secretary shall take into account information received at these meetings in the development of proposed regulations, and shall publish a summary of such information in the Federal Register together with such proposed regulations.

(c) Once such regulations have been finalized, the Secretary shall convene regional meetings to share information regarding implementation of the final regulations under the Carl D. Perkins Vocational Education Act Amendments of 1989. Such meetings shall include individuals and groups involved in vocational education under this Act, such as Federal, State, and local administrators, parents, teachers, and members of local boards of education.

PART B—DEFINITIONS

DEFINITIONS

SEC. 521. As used in this Act:

(1) * * *

* * * * * * *

(2) The term "apprenticeship [training program]" means a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.

[(3) The term "area vocational education school" means—

[(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

[(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to individuals who are available for study in preparation for entering the labor market;

[(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school

and who are available for study in preparation for entering the labor market; or

[(D) the department or division of a junior college or community college or university operating under the policies of the State board and which provides vocational education in no less than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.]

(3) The term "area vocational education school" means—

(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

(B) the department of a high school exclusively or principally used for providing vocational education in no less than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;

(C) a school that offers both secondary and postsecondary instruction, but where secondary instruction is provided in no less than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market.

* * * * * * *

[(10) The term "Council" means the National Council on Vocational Education.]

[(11)] *(10)* The term "curriculum materials" means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare individuals for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate counseling and guidance material.

[(12) The term "disadvantaged" means individuals (other than handicapped individuals) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in vocational education programs. Such term includes individuals who are members of economically disadvantaged families, migrants, individuals who have limited English proficiency and individuals who are dropouts from, or who are identified as potential dropouts from, secondary school

[(13) The term "economically depressed area" means an economically integrated area within any State in which a chronically low level of economic activity or a deteriorating economic base has caused such adverse effects as (A) a rate of unemployment which has exceeded by 50 per centum or more the average rate of unemployment in the State, or in the Nation,

for each of the three years preceding the year for which such designation is made, or (B) a large concentration of low-income families, and for which such designation for the purposes of this Act is approved by the Secretary as consistent with these and such other criteria as may be prescribed, and with the purposes of this Act.]

[(14)] *(11)* The term "eligible recipient" means a local educational agency or a postsecondary educational institution.

[(15)] *(12)* The [term "handicapped", when applied to individuals, means] *terms "individual with a disability or individuals with disabilities" mean* individuals who are mentally retarded, hard of hearing, deaf, speech or language impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired persons, or persons with specific learning disabilities, who by reason thereof require special education and related services, and who, because of their handicapping condition, cannot succeed in the regular vocational education program without special education assistance.

[(16)] *(13)* The term "high technology" means state-of-the-art computer, microelectronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, and other technologies being used to enhance productivity in manufacturing, communication, transportation, agriculture, mining, energy, commercial, and similar economic activity, and to improve the provision of health care.

[(17)] *(14)* The term "homemaker" means an individual who—

(A) is an adult, and

(B) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills.

The Secretary may not prescribe the manner in which the States will comply with the application of the definition contained in this paragraph.

(15) The term "intermediate educational agency" means a combination of school districts or counties (as defined in section 1471(5) of the Elementary and Secondary Education Act of 1965) as are recognized in a State as an administrative agency for such State's vocational or technical education schools or for vocational programs within its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction over a public elementary or secondary school.

[(18)] *(16)* The term "limited English proficiency" has the meaning given suchterm in section 703(a)(1) of the Elementary and Secondary Education Act of 1965.

[(19)] *(17)* the term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

[(20)] *(18)* The term "economically disadvantaged family or individual" means such families or individuals who are determined by the Secretary to be low-income according to the latest available data from the Department of Commerce.

[(21)] *(19)* The term "postsecondary educational institution" means an institution legally authorized to provide postsecondary education within a State, or any postsecondary educational institution operated by or on behalf of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-determination Act or under the Act of April 16, 1934.

[(22)] *(20)* The term "private vocational training institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Secretary as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Secretary pursuant to this clause, or (ii) if the Secretary determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Secretary pursuant to this clause, or (iii) if the Secretary determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by the Secretary and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this paragraph, the Secretary shall publish a list of nationally recognized accrediting agencies or associations and State agencies which the Secretary determines to be reliable authority as to the quality of education or training afforded.

[(23)] *(21)* The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in lands on whch such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

[(24)] *(22)* The term "Secretary" means the Secretary of Education.

[(25)] *(23)* The term "single parent" means an individual who—

(A) is unmarried or legally separated from a spouse, and

(B) has a minor child or children for which the parent has either custody or joint costody.

[(26)] *(24)* The term "small business" means for-profit enterprises employing five hundred or fewer employees.

[(27)] *(25)* The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

[(28)] *(26)* The term "State board" means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration of vocational education in the State.

[(29)] *(27)* The term "State council" means the State council on vocational education established in accordance with section 112.

[(30)] *(28)* The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

[(31)] *(29)* The term "vocational education" means organized educational programs which are directly related to the preparation of individuals in paid or unpaid employment in such fields as agriculture, business occupations, home economics, health occupations, marketing and distributive occupations, technical and emerging occupations, modern industrial and agriculture arts, and trades and industrial occupations, or for additional preparation for a career in such fields, and in other occupations, requiring other than a baccalaureate or advanced degree and vocational student organization activities as an integral part of the program; and for purposes of this paragraph, the term "organized education program" means only (A) instruction (including career guidance and counseling) related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training, and (B) the acquisition (including leasing), maintenance, and repair of instructional equipment, supplies, and teaching aids; but the terms do not mean the construction, acquisition, or initial equipment of buildings, or the acquisition or rental of land.

[(32)] *(30)* The term "vocational student organizations" means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.

(31) the term "all aspects of the industry" means strong experience in, and understanding of, all aspects of the industry the students are preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, and health and safety;

(32) the term "local eligible recipient" means a local educational agency, an area vocational school, and intermediate edu-

cational agency, or the State agency responsible for the administration of corrections education;

(33) the term "supplementary services" means curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

(34) the term "displaced homemaker" means an individual who—

(A) is an adult; and

(B)(i) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills;

(ii) has been dependent on public assistance or on the income of a relative but is no longer supported by that income;

(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act Aid to Families With Dependent Children within 2 years of the parent's application for assistance under this Act; or

(iv) is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate.

(35) the term "prevocation services" means services, programs, or activities designed to assist individuals who are not enrolled in vocational education programs in the selection of, or preparation for participation in, an appropriate vocational education program, such as—

(A) services, programs, or activities related to outreach to or recruitment of potential vocational education students;

(B) career counseling and personal counseling;

(C) vocational assessment and testing; and

(D) other appropriate services, programs, or activities.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

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TITLE II—ESTABLISHMENT OF THE DEPARTMENT

ESTABLISHMENT

SEC. 201. * * *

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OFFICE OF CORRECTIONAL EDUCATION

SEC. 213. (a) FINDINGS.—The Congress finds and declares that—

(1) education is important to, and makes a significant contribution to, the adjustment of individuals in society; and

(2) there is a growing need for immediate action by the Federal Government to assist State and local educational programs for criminal offenders in correctional institutions.

(b) STATEMENT OF PURPOSE.—It is the purpose of this title to encourage and support educational programs for criminal offenders in correctional institutions.

(c) ESTABLISHMENT OF OFFICE.—The Secretary of Education shall establish within the Department of Education an Office of Correctional Education.

(d) FUNCTIONS OF OFFICE.—The Secretary, through the Office of Correctional Education established under subsection (a) of this section, shall—

(1) coordinate all correctional education programs within the Department of Education;

(2) provide technical support to State and local educational agencies on correctional education programs and curricula;

(3) provide an annual report to the Congress on the progress of the Office of Correctional Education and the status of correctional education in the United States;

(4) cooperate with other Federal agencies carrying out correctional education programs to ensure coordination of such programs; and

(5) advise the Secretary on correctional education policy.

(e) DEFINITIONS.—As used in this section—

(1) the term "criminal offender" means any individual who is charged with or convicted of any criminal offense, including a youth offender or a juvenile offender;

(2) the term "correctional institution" means any—

(A) prison,

(B) jail,

(C) reformatory,

(D) work farm,

(E) detention center, or

(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders;

(3) the term "Secretary" means the Secretary of Education;

(4) the term "State" means any State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(5) the term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

INTERGOVERNMENTAL ADVISORY COUNCIL ON EDUCATION

SEC. [213] *214.* (a) There shall be in the Department an advisory committee to be known as the Intergovernmental Advisory Council on Education (hereafter referred in this section as the "Council"). The Council shall provide assistance and make recom-

mendations to the Secretary and the President concerning intergovernmental policies and relations relating to education.

(b)(1) In carrying out its functions under subsection (a), the Council shall—

(A) provide a forum for representatives of Federal, State, and local governments and public and private educational entities to discuss educational issues;

(B) make recommendations for the improvement of the administration and operation of Federal education and education related programs;

(C) promote better intergovernmental relations;

(D) submit, biennially or more frequently (if determined necessary by the Council), a report to the secretary, the President, and the Congress (i) reviewing the impact of Federal education activities upon State and local governments and public and private educational institutions, including an assessment of compliance with section 103 of this Act and of any change in the Federal role in education, and (ii) assessing both the extent to which Federal objectives are achieved and any adverse consequences of Federal actions.

(2) In carrying out its functions under subsection (a), the Council may review existing and proposed rules or regulations of the Department concerning Federal education programs in order to determine the impact or potential impact of such rules or regulations on State and local governments and public and private educational institutions. The Council may submit to the Secretary a report containing the results of its review of any existing or proposed rule or regulation. If a report by the Council concerns a proposed rule or regulation, it shall be submitted to the Secretary within the time established for public comment on the proposed rule or regulation, and shall be placed in the file of the proceeding concerning the proposed rule or regulation.

(c)(1) The Council shall be composed of twenty members, appointed by the President as follows:

(A) six elected State and local officials with general government responsibilities;

(B) five representatives of public and private elementary and secondary education from among board members, chief education officials, administrators, and teachers;

(C) five representatives of public and private postsecondary education, from among board members, chief education officials, administrators, and professors; and

(D) four members of the public, including parents of students and students.

(2) In making appointments under this subsection, the President shall—

(A) consult with representatives of the groups specified in subparagraphs (A) through (D) of paragraph (1); and

(B) select individuals who represent a diversity of geographic areas and demographic characteristics.

(3) The Under Secretary shall be an ex officio member of the Council.

(4) The term of office of a member of the Council shall be four years, except that—

(A) no member serving pursuant to paragraph (1)(A) of this subsection may serve on the Council beyond the period that such member holds an office qualifying such member for appointment under such paragraph; and

(B) the President shall divide the initial appointments to the Council into four groups of five members each for initial terms of one, two, three, and four years.

(5) The President shall designate one member to chair the Council.

(6) Any vacancy in the Council shall not affect its authority.

(d) The Council shall nominate and the Secretary shall appoint an executive director for the Council. The Secretary shall provide the Council with such other staff, facilities, services, and support as may be necessary to enable the Council to carry out its duties under this section.

FEDERAL INTERAGENCY COMMITTEE ON EDUCATION

SEC. [214] *215.* (a) There is established a Federal Interagency Committee on Education (hereafter referred to in this section as the "Committee"). The Committee shall assist the Secretary in providing a mechanism to assure that the procedures and actions of the Department and other Federal departments and agencies are fully coordinated.

(b) The Committee shall study and make recommendations for assuring effective coordination of Federal programs, policies, and administrative practices affecting education, including—

(1) consistent administration and development of policies and practices among Federal agencies in the conduct of related programs;

(2) full and effective communication among Federal agencies to avoid unnecessary duplication of activities and repetitive collection of data;

(3) full and effective cooperation with the Secretary on such studies and analyses as are necessary to carry out the purposes of this Act;

(4) coordination of related programs to assure that recipients of Federal assistance are efficiently and responsively served; and

(5) full and effective involvement and participation of students and parents in Federal education programs.

(c) The Committee shall be composed of the Secretary, who shall chair the Committee, and senior policy making officials from those Federal agencies, commissions, and boards that the President may find appropriate.

(d) The Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, the Director of the Office of Science and Technology Policy, and the Executive Director of the Domestic Policy Staff may each designate a staff member to attend meetings of the Committee.

(e) The Committee shall conduct a study concerning the progress, effectiveness, and accomplishments of Federal vocational education and training programs, and the need for improved coordination between all federally funded vocational education and training pro-

grams. The Committee shall report the findings of such study to the Secretary and the Congress within two years of the date of enactment of this Act.

(f) The Committee shall meet at least twice each year. The Secretary may establish subcommittees of the Committee to facilitate coordination in important areas of Federal activity.

(g) The Secretary and the head of each agency represented on the Committee under subsection (c) shall furnish necessary assistance to the Committee.

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